FILE DESCRIPTION NEW YORK FILE

(i)

POSEN BURG/ SUBJECT Sobe 11 Comm. FILE NO. 100 - 107111 VOLUME NO. BULKY 1342 SERIALS_ THRU 1486

C

NOTICE

THE BEST COPIES OBTAINABLE ARE INCLUDED IN THE REPRODUCTION OF THE FILE. PAGES INCLUDED THAT ARE BLURRED, LIGHT OR OTHERWISE DIFFICULT TO READ ARE THE RESULT OF THE CONDITION AND OR COLOR OF THE ORIGINALS PROVIDED. THESE ARE THE BEST COPIES AVAILABLE.

JULIUS ROSENBERG, et al:

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
181342	E sempt Material		670	
181343	Exempt Material		b 70	
181344	Exempt Material		570	
1B 1345	Pamphlet		-	
1B1346	Leaplet	W		
11347	Perflet	V	 	
161348	Exempt Material		b 7d	
131349	Exempt Moteral		b7d	
181350	Leaflet	1		
18/35/	Letter	1		
181352	Loaflat	1		
	3 Exempt Moleral	-	61	
	Exempt Material	-	61	
1B1355	Exempt Material	-	b1	
	Exempt Material	-	61	
18/357	E sampt Material	-	b 1.	
			6-1	
	Exempt Material		6/	
	Edenpt Material	-	6/	
	Exempt Material		b 7d	
i .	Epempt Material		b7d	
13/363	3 Exempt Material		b7d	
			i i	1

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILE	NEW	YORK	BULKY	EXHIBIT	FILES
-----------------------------	-----	------	-------	---------	-------

ibit ber	Description	Released	Denied	Withheld
364	Exeript Material		61	
	Egangt Material		<i>b1</i>	
1366	Exempt Material		b7d	
1367	"Flyer"	V		
1368	"Flyer"	<i></i>		to large
1369	newspeer			for experience
3/3.70	Exercet Material		61	
1371	Exercet Material		6-1	
13 72	Egenpt Material		6/	
1373	E jampt Material		670	
13.74	Exempt Materil		61	
1375	E sempt Materal		b/	
31376	Edenot Maturel	ļ	b/_	
1577	Spenpt Material	 	61	-
3/378	Exempt Material		01	-
	"Flyer"	1		
3/380	Edempt Material	-	6/	-
	E sempt Material		6/	
	Court Coument		·	-
3/383	Exempt Material		61	
<u>B/384</u>	Expense Material		6/	+
13/383	Flyer	1		

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

			,	
Exhibit Number	Description	Released	Denied	Withheld
18 1386	Leader			
18/387	Exempt Material		61	
18/388	Letter	V	·	
IB/389	Leadlet	/		
13/390				
16/39/			<i>b1</i>	
16/392	missing			
16/3 93-	Panollet			4
16 1394		/		
13 13 95		1		
1B 1896		V		
	Pampllet	1	,	
	Parphlet	/	·	
i	Poems	1		
	Script	V		
	Leallet	1		
	Leillet	V		
	Letters	~		
, "	Pamphleto	V		
1B 140	Exempt Material		b/	
10 1406	Edempt Material		61	
18 1407	Exempt Maleril		b1	

JULIUS ROSENBERG, et al. NEW YORK BULKY EXHIBIT FILES

		<u> </u>		
hibit mber	Description	Released	Denied	Withheld
1408-	Letter			
	Egenst Materil		07d	
	Exerct Matical		b/	
	Extract Material		61	
	News article	<i>b</i>		
	Exempt Waterul		61	
	E sempt Malerial		61	
	Esempt Material		61	
	Exempt Material		61	
	Exercit Motival			
3 1418 -		V		
	Exempt Material		61	
	Exempt Material		61	
	Edenpt Material		p 7d	
	Exempt Material		6/	
B 1423	E deapt Maturil		b/	
B 1424	Exempt Moterial		61	
	Letter	W		
	- neus article	~		
	Exempt Material		61	
	Letter	/		
	- Envelope	~		

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
B1430	Esenst Material		674	
B 1431	7	/		
B 1432	Kews article	~		
	Ejzzet Material		61	
B 1434	Exempt Material	-	b1	
	Eccapt Material		6/	
	Exempt Malereal		61	
	Egampt Material		61	
	Edenst Material		61	
	Edenpt Material		b7d	
181440	Exempt Material		670	
	Envelope			
	Letter	~		
	Letter			
	Letter	~		
	Exempt Material		6/_	
	Pamplet	1	·	
	Parpllet	V		
	Letter	~		
	Elempt Material		61	
	Edenst Material		574	
	Letter	1	/	
18 1731				

JULIUS ROSENBERG, et al.
NEW YORK BULKY EXHIBIT FILES

	NEW YORK BULKY EXHI	RIT FIDE	•	•
ibit ber	Description	Released	Denied	Withheld
1452-	Petition			
1453	Exempt Material		61	
1454-	Petition			
11155-	Pampllet			
1456	Egenpt Materul		6/	
1457	Exercet Material		61	Can not be
31458	tape reaching			Suphistel
1459	Edenst Material		61	
1440	Exact Material	<u> </u>	61	
01461	Edempt Material		61	
3/4/62-	Leglet	/		
31463	E people Material		61	
31464	Exempt Material		bi	
B 1465	Exempt Material		b/	
	news article			
	Exempt Material		6/	ļ
	Booklet	V		
	Exempt Wateral		670	
	Edenpt Material		61	
	Letter			
	Letter	V		
		ī	1	4

1473 Exempt Material

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
B1474	Letter	~		
1B 1475	Letter:	-		
•	Exempt Material		6/	
	Latte:	V		
	Petition	1		
	E semest Material		<i>b</i> /	
	Exampl Material		61	
	Exampl Material		61	
	Letter	4		
	Petition			
	Exercit Material		61	
		~		
10 1486	Ednerpt from Book Letters	~	·	
	,			
				·

	•	, ,	
er Name og programmer	/	and the same and the same and the same and the same as the same	and and any of an experience of the same
		^	
Sulky Exhibit - Inventory of Pr 1'D-192 (Rev. 12-5-58)	eper Rquired as Evidence	Date O	3/5/63
Bulile	when submitting semiannual inven		pondence with Bureau.
100-387835		nen kolk	
Title and Character of Case		<u>-</u>	
CO:: 	MITTEE TO SECURE JUSTIC C	E FOR MORTON SOEF	ILL.
•			•
Date Property Acquired	Source From Which Property Acc	uired	·
SEE RELOW	SEE INDIVIDUAL 18*S	•	
Location of Property or Bulky E			Made to Dispose of Same
VAULT	EVIDENCE & 1	nformation —retai	N /
Description of Property or Exhi	bit and Identity of Agent Submittir	SEE BELO	T (
1342.		The way fraging	
1343.			
1344.			
The state of the s	and the second second		
SA	nphlet "When Consci	_	Rec
1346. Les 1347. Les	iflet advertising f	ilm "Morton Sob adom for Mortor	ell - A Plea for Jus
1348. 1349.			
2,527			
			HTD
1351. Mime	o ltr. re Sobell si	igned Rev. Pete	- A plea for Justice r McCormack.
	let "When Conscience	e Speaks"	A Section of the second
1353	and the state of t	Los Angeles So	bell Comm.:
1354 1355			
1356.	The state of the s		
1358.	1000		
	pins	170 1	
5 in the \$100-107111-1	2210	Pland in	мито / 23_ 111 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
#41)CIU .		MAR'5 1965"

Bulky Exhibit - Inventory of Prop



Date 3/15/63

Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile

100-38735

Field Division

NEW YORK

Title and Character of Case

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS-C

Date Property Acquired

Source From Which Property Acquired

SEE BELOW

SEE INDIVIDUAL 1B'S

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

VAULT

EVIDENCE & INFORMATION - RETAIN

Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW

1358.

1359.

1360.

1361.

1362.

1361

1365.

1366.

brad

100-107111-1B211 #41 MAR I 5 1963 191 - NEW YORK Bulky Exhibit - Inventory of Proper FD-192 (Rev. 12-5-58)

Equired as Evidence

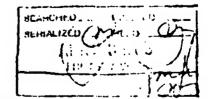


4/23/63.

	_	Field Division	** * *
100-3878		NEW YORK	
Title and Character of Ca	•		4.
-	CURE JUSTIC	E FOR MORTON SOBELL	
s-C			
•			•
Date Property Acquired	Source From	Which Property Acquired	
SEE BELOW		SEE INDIVIDUAL 18'	S
Location of Property or B	ulky Exhibit	Reason for Retention of Property and E	forts Made to Dispose of Same
AULT		EVIDENCE & INFORMA	TION - RETAIN
	Exhibit and Identic	ty of Agent Submitting Same and pr	T 014
		ty of Agent Submitting Same SEE BE	
	Flyer" enn	ouncing 6/19/63 affair	et Carnegie Hall, NYC
	of CSJIIS.	Passed out at AFPJ Wars	wa <u>Ghetto Celebra</u> tion
	1/21/63, NY	C. Rec'd by SA	pms
68	ircular re	Sobell case Hally 6/19	63 Carnegie Hall, NY
69.	ewspaper "	ive a Day of Your Life	Issued by DSJMS
	ovained ou	tside Manhatten Center	Rec'd
	The second of the second		
70			
70. 71.			
70. 71.			
72			
70. 71. 72			
72			
72			
72 73 74 75			
72 73. 74: 75:			
72 73. 74. 75.			
72 73. 74. 75.			
72 73. 74. 75.			
72 73 74 75			
72 73. 74. 75.		67c,d	

Field File #

100-107111-18212 #41



6/6/63 Bulky Exhibit - Inventory of Propo FD-192 (Rev. 12-5-58) Check, when submitting semiannual inventory, if no previous correspondence with Bureau. Field Division NEW YORK Buille 100-387835 Title and Character of Case COMMITTEE TO SECURE JISTICE FOR MORTON SOBELL IS-C Source From Which Property Acquired Date Property Acquired SEE INDIVIDUAL 1B'S SEE BELOW Reason for Retention of Property and Efforts Made to Dispose of Same Location of Property or Bulky Exhibit EVIDENCE & INFORMATION - RETAIN VAULT SEE BELOW Description of Property or Exhibit and Identity of Agent Submitting Same 1378. Total Same Rosenberg-Sobell Case issued Flyer 1379 CSJMS 1381 Appeals, 10/62 decision. pms (Servicial 5346). 1382 1383. meeting of the committee to announcing Juntice for Morton Socell, NYC. Rec'd 1385. mtd Sobell Committee leaflet announcing Carnegie Hall 1386. by SA b seg. Meeting 6/19/63. 1387 Letter re Committee to Secure Justice for Morton Sobell, 1388. signed HELEN SOBELL. Rec'd by SA the mosemberg-Sobell Case "The Facts Pamphlet, by SA Morton Sobell". 1950-1963". Rec'd Rec'd 1390. b7c.d

100-107111-18213

#41...

ENNERTO OFF

JUN 6 1963

FBI - NEW YORK

Bulky Exhibit - Inventory of Proproced as Evidence FD-192 (Fev. 12-5-58)

6/19/63.

Check, when submitting semiannual inventory, if no previous correspondence with Bureau. Field Division Bufile NEW YORK 100-387835 Title and Character of Case COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS-C Date Property Acquired Source From Which Property Acquired SEE INDIVIDUAL 1B'S SEE BELOW Reason for Retention of Property and Efforts Made to Dispose of Same Location of Property or Bulky Exhibit EVIDENCE & INFORMATION - RETAIN Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW 1391. signed Corliss Lamont. 1392. ltr. dtd. "Facts in the Rosenberg-Sobell Case". 1993. Schell Case. noems re 1394. NOTE: by SA ramphlet with song by Edith Segal & poem by Ethel Rosenberg 1395. passed out at rally of Comm. To Secure Justice For Morton Sobell, 6/19/63, NYC. Pemphlet entitled "The Facts in the Rosenberg-Sobell Case 1950-1963", passed out at 6/19/63 rally of Comm. SJMS, NY 1396. _SJMS, NYC. SUES Booklet "The Facts in the Rosenberg-Sobell Case 1**9**50-1963". Leaflet - "Facts in the Rosenberg - Sobell Case - 1950 -1398. 1963." Poem pamphlet "If We Die" by ETHEL ROSENBERG.

2 copies of the Script "Voices of Freedom".

Throwawa y of NY School for Marxist Studies re: 1399. 1400. School 1401. is a summer Festival. Leariet reporting meeting of Sobell Committee 6/19/63. 1402. by SA ble,d PENGONED. 100-107111-1B214 #41

Bulky Exhibit - Inventory of Prope FD-192 (Rev. 12-5-58)



...0

7/19/63

100-387835	NEW YORK	
Title and Character of Case OMMITTEE TO SECURI S-C	E JUSTICE FOR MORTON SOBELL	The state of the s
Date Property Acquired	Source From Which Property Acquired	· · · · · · · · · · · · · · · · · · ·
SEE BELOW	SEE INDIVIDUAL 1B'S	
Location of Property of Bulky AULT	EVIDENCE & INFORMATION	
	state and Identity of Agent Submitting Same SEE BELOY	ı
2 cc	opies of Peter McCormack's Ltr. The Facts of the Rosenber	
Above	opies of Peter McCormack's Ltr. The Facts of the Rosenber	g - SobellCase
2 cc Above 1407.	opies of Peter McCormack's Ltr. The Facts of the Rosenber	g - SobellCase See Ser.

67c,d

Field File &

100-107111-1B215 #41 121-10.VI

Bulky Exhibit - Inventory of Prop cquired as Evidence FD-192 (Rev. 12-5-58)

11/6/63.

Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bulil

100-387835

Field Division
MEW YORK

Title and Character of Case

COMPITTEE TO SECURE JUSTICE FORMORTON SOBELL IS-C

Date Property Acquired

Source From Which Property Acquired

SEE BELOW

SEE INDIVIDUAL 1B'S

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

V.JULT

EVIDENCE & INFORMATION - RETAIN

Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELON

1413.

1414.

1415.

1416.

1417.

1418.

1419.

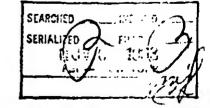
1420.

1421.

1422.

67c,d

гым гы в 100-107111-18216 #41



Bulky Exhibit - Inventory of Prope 12/10/63 FD-192 (Rev. 12-5-59) Check, when submitting semiannual inventory, if no previous correspondence with Bureau. Field Division 100-387835 **NEW YORK** Title and Character of Case COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL Source From Which Property Acquired Date Property Acquired SEE INDIVIDUAL 1B'S SEE BELOW Reason for Retention of Property and Efforts Made to Dispose of Same Location of Property or Bulky Exhibit EVIDENCE & INFORMATION - RETAIN VAULT Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW tr. on CSJMS letterhead.
Reprint from "The Progres 1425. 1427. stationery "To Make Our Society Well." 1428. Rec'd py SA pms

Business Reply Mail envelope addressed to "Room D, 1429. 10010". 940 Broadway, New York. Ltr. td. 11/63, with ltr. head memo re Committee To Secure Justics For Morton Sobell and signed by helen L. Sobell. page of literature re The Progressive. 67csd 100-107111-1B217 MANAGED JECK PHAN IN CCC 1 C 1963 Fel - NEW YORK

Bulky Exhibit - Inventory of Proposition Coulted as Evidence PD-192 (Rev. 12-5-56)



2/6/64

Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Buffle

100-387835

Field Division
NEW YORK

Title and Character of Case

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL

Date Property Acquired

Source From Which Property Acquired

SEE BELOW

SEE INDIVIDUAL 1B'S

Location of Property or Bulky Exhibit

Reason for Retention of Property and Efforts Made to Dispose of Same

VAULT

EVIDENCE & INFORMATION # RETAIN

Description of Property or Exhibit and Identity of Agent Submitting Same

SEE BELON

1437. 1438.

1440.

1441.

Mimeo pg. re: Committee to Secure Justice for

MORTON SOBELL.

Mimeo pg. re:

Citizens full pardon for MORTON SOBELL.

Cormittee to Secure Justice for MONTON SOBELL.

1444.

1443. Note:

Petition issued by CSJMS. Rec'd

by SA

1445.

1446. 1447. Facts in the Rosenberg-Sobell Case 1950-1963. When Conscience Speaks pamphlet.
MORTON SOBELL Street Petitio

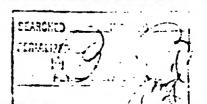
11119

1450.

Field File # 100-107111-1B218

#41

67c

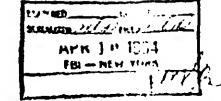


Bulky Exhibit - Inventory of Prope /10/64 FD-192 (Rev. 12-5-58) Check, when submitting semiannual inventory, if no previous correspondence with Bureau. Bufile Field Division . 100-387835 NEW YORK Title and Character of Case COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS-C Date Property Acquired Source From Which Property Acquired SEE BELOW SEE INDIVIDUAL 18'S Location of Property or Bulky Exhibit Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN VAULT Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW 451. 452. Letter for freedom for MORTON SOBELL issued by CSJMS. Petition for <u>freedom</u> for MORTON SOBELL issued by CSJMS. OTE: **453**• Petition for Full Pardon for Morton Sobell. 1454. "The Facts" in the Rosenberg-Sobell Case". 1455 Pamphlet 1456. 1457. Tape recording of Speech by MARSHALL PERLIN over radio station WBAI 6/1/64 at 9 30pm. Rec'd 6/1/64 by SA 1458. 1459

67c,d

1461.

100-107111-1B219 #41



mtm

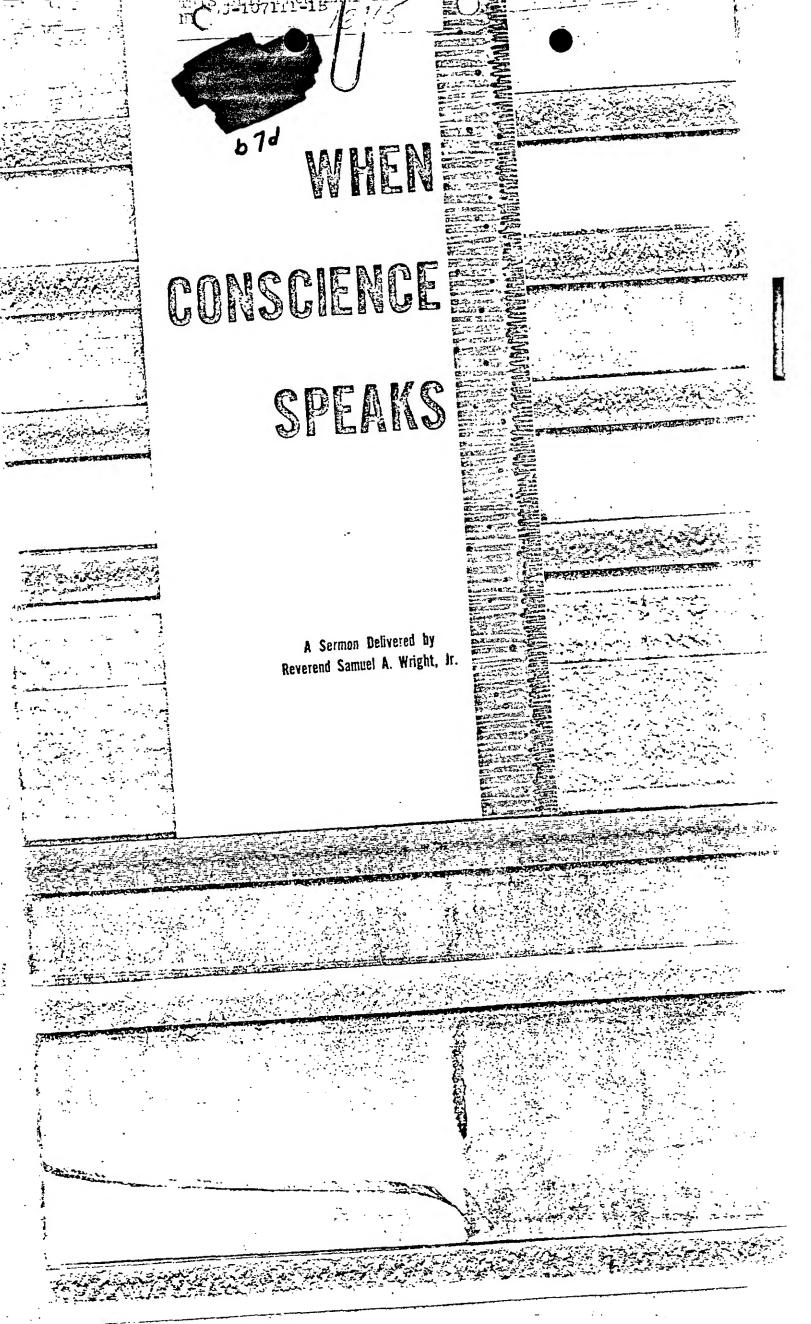
Rec'd

mtm

Bulky Exhibit - Inventory of Proper cquired as Evidence FD-192 (Rev. 12-5-58) 6/26/64 Chack, when submitting semiannual inventory, if no previous correspondence with Bureau. Field Division NEW YORK 100-387835 Title and Character of Case COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS-C Source From Which Property Acquired Date Property Acquired SEE INDIVIDUAL 1B'S SEE BELCW Reason for Retention of Property and Efforts Made to Dispose of Same Location of Property of Bulky Exhibit TVIDENCE & INFORMATION - RETAIN VAULT Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW Throwsway re "Fly-Ins" for Morton Sobell dtd. 1462. 1463. 1464. NOTE: 1465. 1466. of "NY Post" advertisement, 6/28/64. 1467. en page brochure "The Facts in the Rosenbers-Sobell Case 1950-1964." See ser. Rec'd 1469. 1470. 1471. letter re new book on Horton Sobell by Welter 1472. irr 1473. egb 67Gd 100-107111-18220

#41

	of Prop Acquir	EG OF EAIGEUCS		0010	11/12/61,	
	seck, when submitti	ing semiannual inven	tory, if no prev	ious correspo	ondence with Gweau	ı .
Butile 100-387835	STATUS	Field Division	" File		.07111-1E221	,
Title and Character of Ca	80					
Terretti e e del començo	COMMITTEE IS-C	TO SECURE .	Justice i	FOR MORT	ON SOBELL	
Date Property Acquired	Source From	Which Property Acq	uired			
SEE BELOW	SEE I	NDIVIDUAL 1	3 †S	•		
Location of Property or B	ulky Exhibit	Reason for Retenti	on of Property	and Efforts I	dade to Dispose of S	iame.
VAULT		EVIDENCE	& INFOR	MATION	- RETAIN	
Description of Property or	Exhibit and Identit	ly of Agent Submittin	g Same S	EE BELO	W	· · · · ·
1474.	Mimeogra . COMMITT	aphed letter	dtd.	R	E: SOBELL	
1475		and the state	W. 15.29	Crow	the Commit	
476.	Ltr. from	n CSJAS sign	ed by HE	GENESOB	ELD.	Z b
.78.	Leaflet r	re a plea fo	r pardon	for MO	RTON SOBELL	
78.	Leaflet r	re a plea fo	r pardon	for MO	RTON SOBELL.	omd
and the second	Leaflet r	re a plea fo	r pardon	for MO	RTON SOBELL.	
79.	Leaflet r	re a plea fo	r pardon	for MO	RTON SOBELL.	
79. 80.	Leaflet	e a plea fo	r pardon	for MO	RTON SOBELL.	
79. 80. 81.	csums let	e a plea fo	r pardon	for M0	RTON SOBELL	omd
79. 80. 81.	csums let	ter dia	r pardon	for M0	RTON SOBELL	omd A2.
79. 80. 81. 82. 83.	CSJMS let Pardon pe	ter diction capt	r pardon	for MO	Care, Pres	omd A2.
79. 80. 81. 82. 83.	csums let Pardon pe Johnson"	ter did	r pardon	for MO	Care, Pres	ident
79. 80. 81. 82. 83.	CSJMS let Pardon pe Johnson Paces 184-	ter dia etition capt	ioned "Y	ou Must	Care, Presi	ident
79. 80. 81. 82. 83.	CSJMS let Pardon pe Johnson Paces 184-	ter did etition capt	ioned "Y	ou Must	Care, Pres	ident
79. 80. 81. 82. 83.	CSJMS let Pardon pe Johnson Paces 184-	ter dia etition capt	ioned "Y	ou Must	Care, Presi	ident
79. 80. 81. 82. 83.	CSJMS let Pardon pe Johnson Paces 184-	ter dia etition capt	ioned "Y	ou Must	Care, President of the Lewisby SA	ident
79. 80. 81. 82. 83. 84. 85.	CSUMS let Parton pe Johnson Paces 181- Letter fro and some of	ter dia etition capt om CSJMS re of his lette	ioned "Y	ou Must	Care, President of the Lewisby SA	ident
79. 80. 81. 82. 83. 84. 85.	CSUMS let Parton pe Johnson Paces 181- Letter fro and some of	ter dia etition capt	ioned "Y	ou Must	Care, Presidence of the Lewish by SA	ident irr
79. 80. 81. 82. 83. 84. 85.	CSUMS let Parton pe Johnson Paces 181- Letter fro and some of	ter dia etition capt om CSJMS re of his lette	ioned "Y	ou Must	Care, President of the Lewisby SA	ident irr



WHEN COMSCIENCE SPEAKS

done for me. I am innocent of all crime, not only this, but all. I am an innocent man. I wish to forgive some people for what they are now doing to me.' The the home of Judge Thayer, who never needed much of and that I have never committed any crime but sometimes some sin. I thank you for everything you have "The execution took place on August 23, 1927.... a guard because, for the few unhappy years he lived, judged Dreyfus? Who judged Mooney? A dead judge warden, who was in no way responsible, was hardly The troops were called out to protect the prison and able to make the prescribed announcement after the said: 'I want to thank you for all you have done for me, warden. I want to tell you that I am innocent he was a serviceable red tag for the 'reds.' Who isn't of any use to the opposition..... Vanzetti execution,"* This was the report of Phil Stong, at that time feature writer for the North American Newspaper Alliance. I was 8 years old in 1927, but I do recall the question of injustice being raised at the dinner table, attached to the names Sacco and Vanzetti. I remember my father saying, "They must be guilty or they would not be executed." Sacco and Vanzetti were arrested during the great red hunt of 1920; a shoe workman and a pushcart fish peddler. As Phil Stong reported at the time of the trial, "There had been so much newspaper agitation against the murderous "reds' that the chauvinistic louts on the jury would have convicted Bart Vanzetti of riding a broomstick if he had had a splinter in his finger. Being a wandering fish peddler, his alibi was worthless."

I was just learning to walk when Sacco and Vanzetti were arrested, and I must admit that until a few weeks ago, these names were to me only some kind of a war-cry, like "Remember the Alamo," whenever someone felt there was an unjust accusation of a crime. As I read the reports of the case, I ran across this statement by a conservative editor of the Boston Transcript. "No, of course they weren't guilty. When you are familiar with the transcript, which you can't be through the new spaper reporting of the trial, you'll see that it's more or less insulting to anyone's intelligence to ask that question.... If they'd been aniroaded intelligently it would have saved all this." *

I have recently finished reading the one thousand seven hundred and fifteen pages of transcript of the Rosenberg-Sobell "conspiracy" trial which resulted in the electrocution of Ethel and Julius Rosenberg, June 19, 1953, and the sentencing of Morton Sobell to thirty years in prison, It was because so rough

to this trial, that I informed myself on that case also.

I must confess that I had not explored this matter before because I have great faith in our courts, and I know there are spies and it is the court's job to look after the matter, so why bother. I must also admit that I have felt for a long time that this Rosenberg-Sobell affair was a hlurred picture, and was on my conscience, but when conscience speaks, it does make cowards of us all; and if I did not look too deeply I might not need become concerned. Besides, I have much else that concerns me and the days are short.

However, on February 2nd, a Presbyterian clergyman who was just completing a lifetime in the ministry called on me at the church office. He introduced himself as the Reverend Peter Mc Cormack, Minister of Visitation of Saint John's Presbyterian Church in San Francisco and former protestant chaplain at Alcatraz. He said that he was there on behalf of Morton Sobell. I then recalled that it was Reverend Mc Cormack who after five years as chaplain at Alcatraz had signed a petition asking for a new trial for Morton Sobell (who was then in Alcatraz) and he was relieved of his job for being too zealous for the welfare of the prisoners.

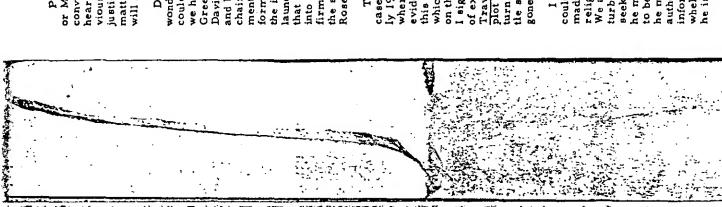
around 300 B.C., "Guilty consciences always make people cowards," and Shakespeare picked up the reis sicklied o'er with the past cast of thought, and enthe other persons on whose behalf I might act or had terprises of great pith and moment with this regard Court of the United States? I asked him why he was know that he was not being used by forces that were I am afraid I gave this elderly Scotch minister a frain in Hamlet, "Thus conscience does make cowards of us all; and thus the native hue of resolution their currents turn awry, and lose the name of acothers. I even asked him what role the Communist rough time, for it is written in the Panchatantra of should be more concerned about Sobell than any of so concerned about one man over and above many Party members had in this case -- and how did he acted. Hadn't the case been before the Supreme tion," I asked the Reverend Mc Cormack why I not at all interested in justice? Very simply, he told me that as Chaplain at Al-catraz, he became personally closely acquainted with Morton Sobell, that from his more than 30 years in the parish ministry, he felt he knew Sobell well enough to say that he believed he was utterly incapable of what he was charged; that Morton Sobell was a man of professed convictions in the hest things of our tradition. He said that out of his interest in the man, he acquired a copy of the trial transcript, and upon reading it became convinced of Sobell's innocence.

the requirements for the kind of scholarly, independent and objective investigation necessary to raise the need for a reappraisal of the case, to the end that enough public opinion might be brought to bear so that new evidence and obvious perjury would open the matter for a new look, with the reflection that comes from the passage of time, and a freedom from fears and passions of a few years ago. Moreover, he pointed out, Morton Sobell, maintaining his innocence, remains imprisoned under a thirty year sentence, thus giving an urgency in human terms as well as in historical necessity.

yould send me a copy of the trial trunscript, I we carefully read it and give him my answer after I in effect, done the independent investigation necessary for me to express an opinion. He sent me the booklets of the transcript which I still have to reflect reading the transcript carefully I have come to the same conclusion as Dr. Harold C. Urey, the world renowned atomic scientist of the University of Chicago, that "the proof of the guilt of Morton Sobell is far from satisfactory to me," and that "additional evidence substantiating my suspicions has convinced that the Liury's verdict of guilty was incorrect and that the Rosenbergs were not 'guilty beyond a reasonable doubt,""

such people are less secure than they were previous. (as in this case) in payment for testimony is particuthe maximum punishment to the innocent person, The est to all who work on secret military matters, for tice sets the stage for framing innocent people, and ecuted? As Dr. Urey said, "This case is of interism and espionage are not fought by executing innoly. This practice of giving immunity to criminals various ways (namely ask him to ask his physician about necessary innoculations for a trip to Mexico) then commit the crime and if caught give evidence are particularly threatened. Moreover, commun-Well, what can be accomplished by bringing up these matters after the Rosenbergs have been exlarly pernicious. One criminal accuses another y haps someone else is doing this and you are the accomplice without knowing it at all. The pracmit a crime, pick out one of your 'friends' or a r people who carry military secrets in their minds son is accused and the chain is broken and we giv system encourages criminals. If you wish to con against your 'accomplice' and go free! Or, perlative whom you do not like, compromise him in again accuses another until perhaps an innocent cent people." * Sobell and his family went to Mexico. The prosecution insisted that he went there to flee the country, and a card with the words "Deported from Mexico" stamped on it was presented in court as evidence of flight. Today there are official documents from the

e was taken from his family in Mexico llaiming to be Mexi an secret police and charged with being a Johnny Jones who robbed a bank in Acapulco of \$15,000. He was refused a re quest to contact the American embassy, was beaten unconscious, driven to Laredo, Texas, and delivered to a waiting party of FBI agents. He had tourest cards in his own name; he declared his camera in Dallac. Texas, in his own name in order to avoid Dallas, Texas, in his own name in order to avoid tariff on his return home. Sobell's airline tickets, tariff on his return home. Sobell's airline tickets, visa, and camera declaration were in the FBI's possession until 1954, (three years after the trial) when they were then released to Sobell's attorneys who have incoporated them in the petitions which were recently before the courts. Another incredible thing in relationship to Sobell's trial is that only one witness testified that Sobell had been involved in a witness testified that Sobell had been involved in a witness testified that Sobell had been involved in a conspiracy. This witness, Max Elitcher, a boyhood friend and former classinate, and a confessed perjurer and inveterate liar, had the powerful moperium and ha perjurer and inveterate liar, had the powerful motive of escaping a prison sentence when he acted as a witness for the prosecution. Judge Kaufman himself said when he instructed the jury, "If you do not believe the testimony of Max Elitcher as it pertains to Morton Sobell, then you must acquit the defendant Sobell." That jury in 1951 chose to believe Max Elitcher, and Judge Kaufman sentenced Morton Sobell to thirty years. Sobell to thirty years. There are many aspects of this case into which I might go if I had the time this morning, so you might understand why I believe it is most important that this whole matter be reopened -- if for no other reason than our children's sake, because of the kind of climate which we bequeath the next generakind of climate which we bequeath the next genera-When conscience speaks, it does make cow-The second second second second second tion! When conscience speaks, it does make cowards of us all, but some of us have been forced into the open in the cause of justice. I feel as Lord Bertrand Russell did when he wrote: "I am ashamed Bertrand Russell did when he wrote: "I am a shamed to say that at the time of the Rosenberg-Sobell trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent....But the Rosenbergs are dead and nothing can be done for them...Sobell, however, is alive and it is not too late for the U. S. Government to make some reparation to him." To those of you who have never questioned the guilt of those convicted in the Rosenberg-Sobell case, this sermon no doubt comes as something of a shock. this sermon no doubt comes as something of a shock. It comes as a shock to anyone who implicitly trusts the justice of American legal procedure. In speaking of the Rosenbergs, Dr. Harold Urey said, "People ask why the prosecuting attorney and the FBI and the judge should wish to see two insignificant people put to death unjustly. After considerable conversations with lawyers on this subject, including one who worked on the government side of this case, I concluded that on the government side of this case, I concluded that lawyers are more interested in whether all the legal machinery functions according to all the rules, and are not in the least interested in the arguments which are important to me. There are exceptions, of course." * The Rev. Irwin Gaede, Unitarian Church of Westwood, California Caracina a same



personally, I do not know whether the Rosenbergs, or Morton Sobell are guilty or innocent. But I am convinced in my own mind that much more should be heard in a case where lies and counter lies are obviously in evidence. If we believe in the striving for justice and moral integrity in our country, this is a matter which concerns each of us. My conscience will not let this matter lie.

17. C.

中の とうご をお

formation to the Russians more than ten years ago -into outer space! Would any reputable scientist conwondering how it could be possible that the Russians ment that the Rosenbergs had given space travel inlaunch a successful satellite over a decade ago, but firm such a story? Yet this statement was made by and brother-in-law (the Rosenbergs) to the electric that by stealing our "secrets" the Russians beat us could have sent two sputniks into outer space while the inference apparently being that we knew how to Greenglass in Lewisburg penitentiary -- the same David Greenglass whose testimony sent his sister chair? The committee came forth with the state-Do you recall a senate investigating committee we had sent none and deciding to inquire of David the same man who was the chief witness in the Rosenberg-Sobell trial. The Dreyfus affair in France, the Sacco-Vanzetti case in our country, the political climate of the early 1950's, with the loose nature of conspiracy charges where little was needed to convict, the plausibility of evidence by perjurers and self-confessed spies, all this weighs upon my conscience. The climate in which the Rosenberg-Sobell case was heard bordered on the hysterical. It was a fearful time to speak out. I signed a petition (a citizen's constitutional method of expression) and made the front page of the Boston Traveler, with all the inference that I was part of a plot to overthrow the United States Government and turn it over to the Soviet Union! There was very little sanity about, and it seemed as if the world had gone a little mad.

I must confess that I, too, was a little mad. I could have done much more than I did. The mark of madness is disorientation, and I think even today the religious liberal has badly lost his sense of direction. We are confused, bewildered, and thwarted. In these turbulent and challenging times, emotions well up to seek expression; but the liberal cannot merely emote, he must reason his reaction and understand in order to believe. He must believe in order to act, even as he must act to affirm his belief. He is suspicious of authority, allergic to propaganda, yet he must have information in order to understand. Being over-whelmed by competing, often conflicting propagandas, he is confused, thwarted, maladjusted.

Someone coined the phrase, "We suffer the paralysis of analysis." True as this is it dues not describe what seems to be the basic malady. The

in moral law. The detachment of moral law from superstitious sanctions has reduced its impressiveness. With no Hell and no wrath of God to punish the wrong doer, evil has become less frightening, and so with other dogmas of religion. What we often fail to see is that dogmas come and go but the values and the sense of enduring purposes which these things symbolized are the foundation of civilization. And when they have gone, so has each civilization in history.

form of tyranny only to put in its place a more sweeply the exact opposite. Citizens who pride themselves the status quo, took refuge in name-calling, suppresforget that this means our political party may be outmasses. My point is that liberals in religion have al lowed themselves to be taunted by those who personibills and those who search for loopholes in the legisto the big contributors? This discase is internationamong many business concerns it is a common praca friendly price. It is a matter not of legality but of course you can say why be fussy? Why not get wise and do what everybody else does? Lobbyists for big legal for a collector of taxes to buy an automobile at not new. It is as old as history. It conducts inquisi newspapers are not honest. They seldom print what upon democracy in religious matters often prove inpolitics or industrial relations. I heard them try to open mind in theological matters often become vehelice to employ specialists in the avoidance of taxes. battle of wits goes on between those who draft tax is the philosophy of the pseudo-radical, the militant We are schizoid -- a nation with a split personality are not honest. How often do they preach the truth early 1950's, in fear of real or imagined threats to ing, more dictatorial tyranny of another sort. It is hysteria that led us to bill Hitler after World War I And it is high time we became cured of it. This is lation. This is not illegal; but then neither is it ildealer when he finds himself in tax difficulties. Of might reduce their advertising. Even the churches 'as a bulwark against communism," We too easily the beds of respectable citizens, or threatening the sive activities, the illusion of infallibility, and the talked about the desperateness of our situation and not just a matter of government. I happen to know It is a philosophy of reaction which in the (whether called fascists or communists) lurking a. al in scope -- attacking nations, groups, and indirefusal to tolerate disagreement however sincere. revolutionist who would overthrow by violence one outlaw the same party and for the same reasons of morality. The next step, of course, comes when the collector is expected to favor the automobile round every corner of social change, hiding under concerns succeed in influencing legislation. The ment with those who hold opposing views in other Since the end of the second world war we have have acted as though it were not desperate at all. tolerant -- even aggressively authoritarian -- in lions. It shies at shadows and finds bogey-men lawed tomorrow by majority rule, I viduals.

If a person's religion is a way of life, a religious liberal in one area presupposes a liberal position in the others. The alternative is schizophrenia.

When conscience speaks, religious liberals often tend to become frustrated. The lack of an orientation a yardstick, hamstrings action. Feeling strongly, yet prevented from expressing their feelings through action, many of us have become maladjusted. "Thus conscience does make cowards of us all; and thus the native hue of resolution is sicklied o'er with the pale cast of thought, and enterprises of great pith and moment with this regard their currents turn awry, and lose the name of action."

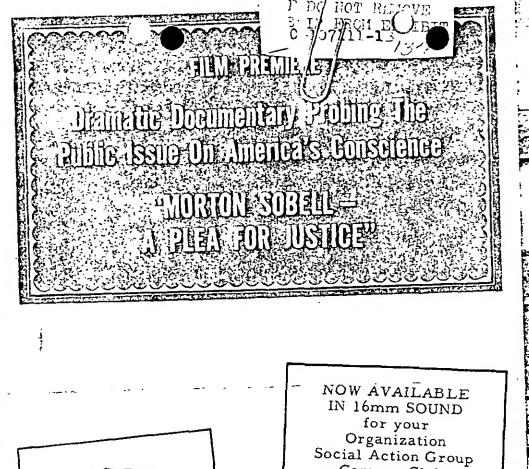
By action in consonance with our beliefs, we may

Transcribed by Hazel Stevenson

A Sermon Delivered on April 12, 1959
by
SAMUEL A. WRIGHT, Jr.
Minister

THE UNITARIAN CHURCH OF MARIN

Meeting in the Tamalpais Centre Women's Club Kentfield, California



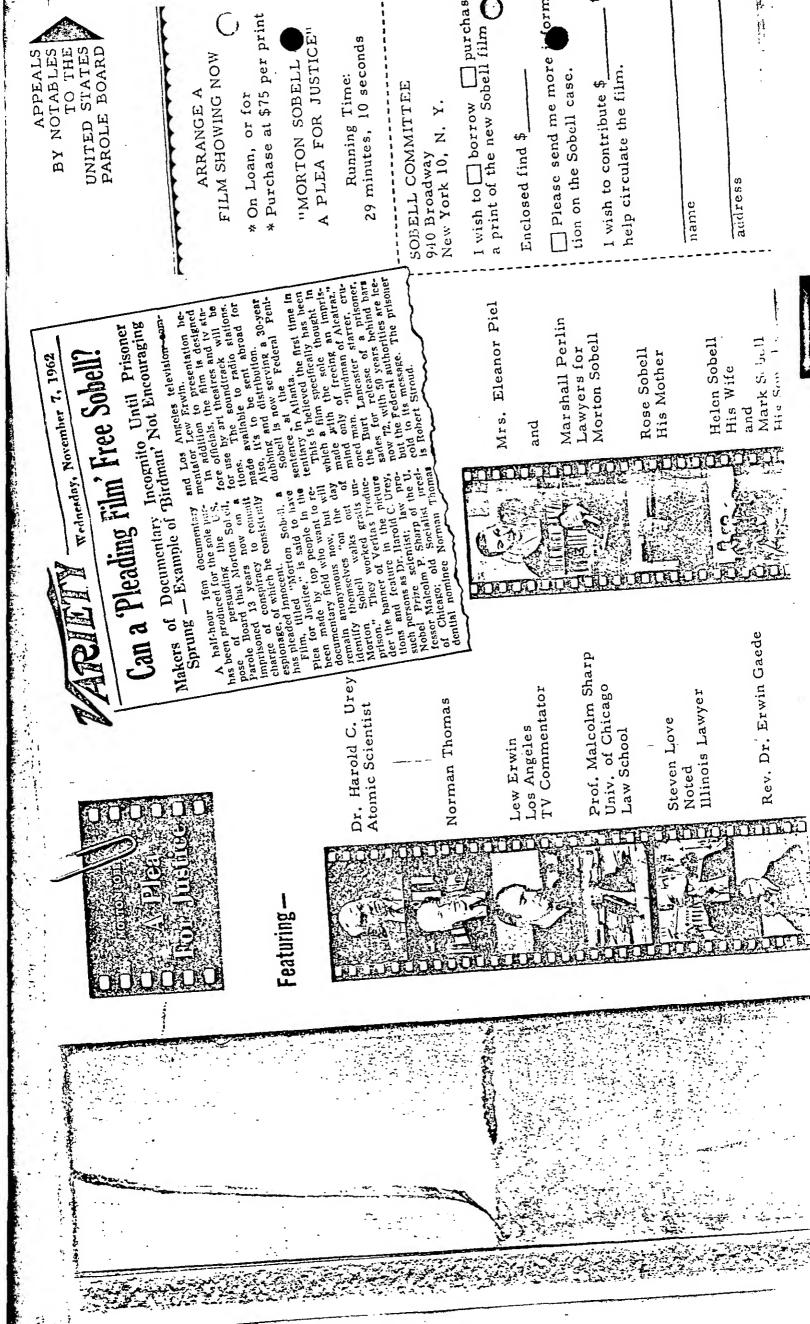


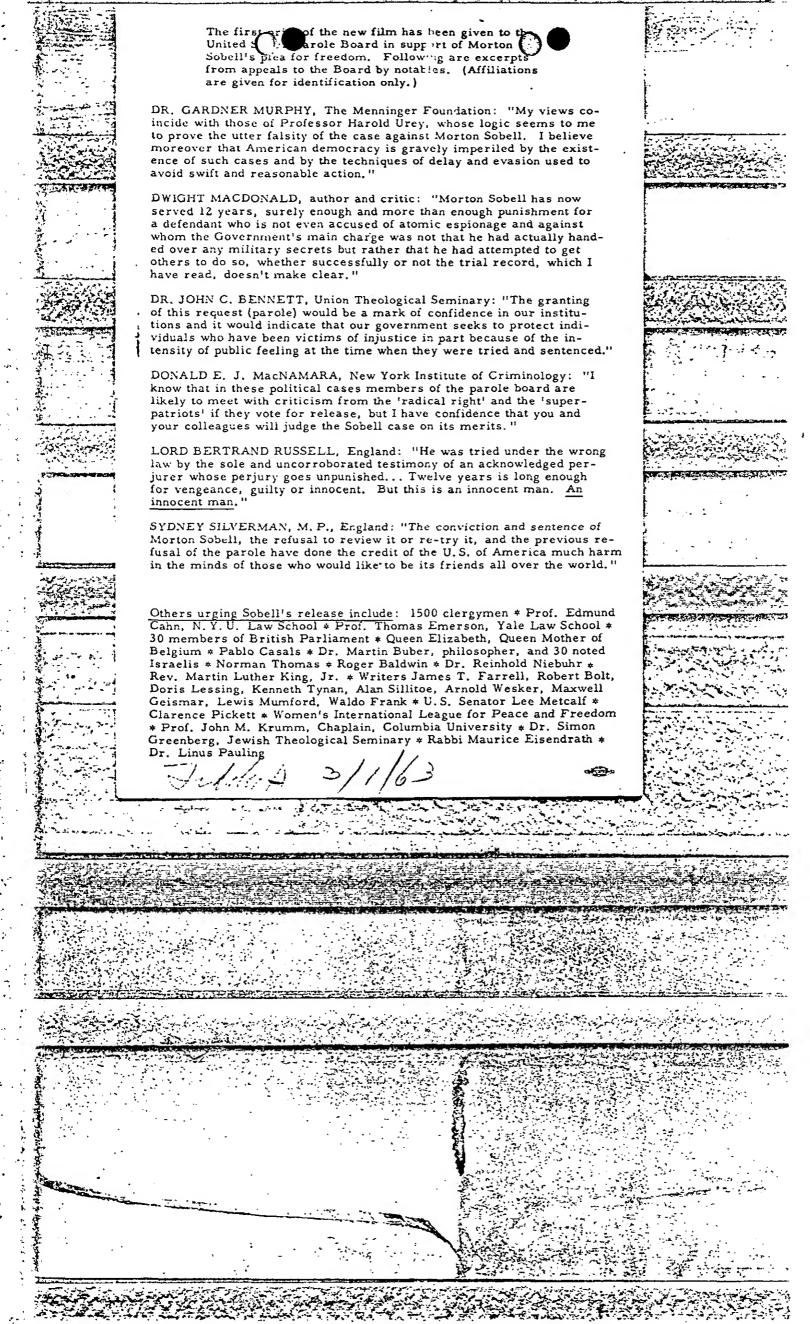
Campus Club Home Gathering Local Theaters

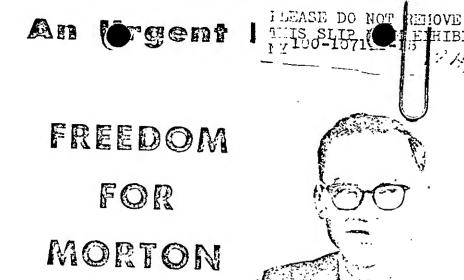
T V STATION

Special Sound Track For Radio

SEEING THIS FILM AND DISCUSSING THE SOBELL CASE IS NOW A MUST FOR ALL CONCERNED WITH HUMANITY AND JUSTICE







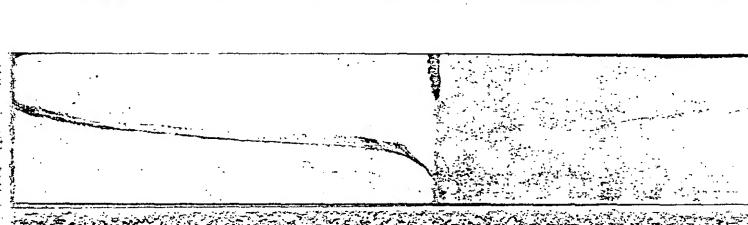
Reverend John Haynes Holmes Professor Victor Paschkis Reverend A. J. Muste Rabbi Harry Halpern Jerome Nathanson Maxwell Geismar Murray Kempton Dr. Leo Mayer Max Eastman Conrad Lynn Howard Radest John F. Finerty Norman Thomas Dr. Horace Kallen Dwight Macdonald Dr. Reinhold Niebuhr Reverend Thomas Kilgore Reverend Donald Harrington

SOBELL

Morton Sobell has been in prison for nearly ten years. The charge: conspiracy to commit espionage. The sentence; 30 years. Mr. Sobell has from the beginning maintained his innocence. Many who have studied the trial record of his case are convinced of a miscarriage of justice.

Invite you to

read this summary of a meeting, attended by 600 persons, which we, the above, sponsored to discuss an urgent public issue: The CASE OF MORTON SOBELL. The meeting was held at the Community Church of New York on May 24th.



Chairman VILLIAM M. KUNSTLER, attorney, associate professor at New York Law School, author of radio program "Justice" and moderator of "Pro and Con" program, WMCA radio:

Before giving you a little background on the Sobell case. I want to make it quite clear that I am speaking for myself and not for any of the institutions with which I am associated. The Rosenberg and Sobell cases were, unfortunately, intertwined. When the joint case went to the three-judge Court of Appeals for the Second Circuit, Judge Jerome Frank dissented. He voted to give Sobell a new trial on the ground that Hon. Irving R. Kaufman, the trial judge, had permitted the case to go to the jury with only one conspiracy pointed out when in reality there might be two conspiracies, the one in which Sobell might have been involved having, as Judge Kaufman himself admitted, no "connection with the atom bomb project."

While I believe the Rosenbergs were guilty, it is questionable whether there was sufficient evidence against Sobell to have gone to the jury. My study of the case indicates the possibility that he may be innocent, but in any event, I feel that his sentence was unjustifiably severe and that the ten years he has spent in Alcatraz and Atlanta are ample punishment.

The chief witness against Sobell was a former friend named Max Elitcher. In his testimony, which was totally uncorroborated, he said that Sobell had inducted him into the Communist Party. Elitcher mentioned a number of conversations in which he said Sobell had asked him to (1) obtain espionage recruits, (2) obtain classified information about fire control systems, and (3) remain with the Navy Department. He also stated that Julius Rosenberg had mentioned Sobell at one time as being part of an espionage group.

There was one other portion of Elitcher's testimony that suggested that Sobell was involved in some sort of nebulous contact with some very unspecific espionage. Elitcher said that he drove to New York from Washington in the summer of 1948 and when he arrived at Sobell's home in Flushing, informed him that he thought he had been followed by several cars on the trip north. He testified that Sobell became very agitated and asked him to drive with him in his car to the neighborhood in Manhattan where Julius Rosenberg lived. While Elitcher remained sitting in the car, Sobell disappeared for half an hour with what Elitcher thought looked like a can of 35 mm film.

On cross-examination, Elitcher admitted he was extremely frightened by the fact that he had lied under oath on an application for government employment and that he was worried about a perjury prosecution. But he admitted that he had hopes "that the best will happen to me."

for Mexico in June of 1950 before the arrest of Julius Rosenberg. He informed William Danziger, a former City College classmate, that he was taking a vacation with his family. While in Mexico, he used various

aliases and made trips to the Mexican scaports of Vera Cruz and Tampico.

The only other evidence against Sobell consisted of proof that he left

What may have hurt Sobell the most so far as the jury was concerned, was his failure to testify at the trial. This was, of course, a decision made by his attorneys. If I had been conducting his detense I don't know what I would have done on this score. But in the light of hind-sight. I think this worked against him, particularly as it left unanswered Elitcher's accusations, the reasons for the Mexican trip and the use of aliases. It was a calculated risk at best, the more so when one recalls that the North Korean aggression, which started in June of 1950, had put some heat into the cold war. In the light of this country's understandable reaction, Morton Sobell's silence was a grave mistake and undoubtedly contributed to his conviction.

DWIGHT MACDONALD, author, critic, writer for the NEW YORKER and ESQUIRE magazines:

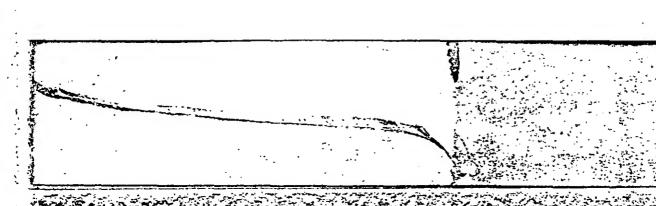
I'm here because I believe Morton Sobell has been unjustly treated. The nine years he has served are more than enough punishment for the crime of which he was convicted. I've read the entire court record of the Rosenberg-Sobell case and I must say I think they received a fair trial. I'm also sorry to say that I think Sobell was guilty beyond reasonable doubt.

Nevertheless, it was never clear why in the world Sobell should have been tried along with the Rosenbergs. When he sentenced Sobell, Judge Kaufman said: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project," which is quite explicit. And then he went on to sentence him to 30 years.

Now this is a fantastic sentence, even if you think as I do that Sobell was guilty, (I may be wrong, I hope I am wrong.) But anyway, the only thing he was shown to have done was extremely vague and nebulous. Y don't remember a single piece of concrete data which Elitcher was able to bring up that was actually passed on.

I don't understand why the Supreme Court, which in general has been quite good in the last ten years, didn't do something about this whole case. I opposed the death sentence against the Rosenbergs on moral grounds, and on the practical ground that Judge Kaufman and the people who allowed the thing to go through dealt a very great blow to the United States throughout the world. This country appears especially bad when you think of the sentences that England imposed on Alan Nunn May, and especially Klaus Fuchs. May got 10 years. Fuchs got 14 and was released a year or so ago after serving nine years.

The Rosenbergs are dead. We can't do anything about this miscarriage of justice. But justice can still be done to Morton Sobell, and also to Harry Gold, who unlike Sobell, cooperated fully with the American authorities and yet was given 30 years.



VORMAN THOMAS:

My own position on the Sobell case is admirably summarized in this very succinct statement which has been widely given out tstudy by group of theologians and law professors including Dr. Reinhold Niebuhr, and Professor Edmond Cahn of the New York University law school, calling the case against Sobell "vague in content and slender in proof" and asking commutation of sentence. I am quite convinced that Mr. Sobell should have had another trial, in view of the facts cited here and also in view of the dubious administration of due process in the manner in which he was hauled out of Mexico. I was disappointed that the Supreme Court did not grant that trial. Of myself, I am not convinced by what I have read, either of his complete innocence or of his guilt.

This case demonstrates a peculiarly twisted idea of justice. Suppose Mr. Sobell were guilty as charged. What kind of justice is it that gives him 30 years sentence, six years in Alcatraz, and still refuses to consider any kind of reduction? Men have committed horrible crimes of which there has not been the slightest doubt and got the sentence of 10 years, 15 years, and have been admitted to parole. But not Sobell.

Under our law we have denied the existence of a special category of political prisoners. They're all criminals—the gangster, the murderer, the rapist—and so is the Communist and we treat them all alike. But we don't. The embezzler, yes the murderer, has a better chance of getting parole under certain circumstances.

This is a shame to the country. It's a weakness that we, so strong—that we who dare to say we lead the free world, that somehow, somewhere inside us there is such a spirit of fear, of dread, of hate, or vengeance that we mete out 30 years to Sobell for what he did, without mercy. And God knows we mete out perhaps death to Henry Winston, a Smith Act prisoner whose sight is almost gone through a brain tumor. But the sentence still stands, no mercy, no parole.

Men who are too sophisticated to say it, men who perhaps won't admit it to themselves, those men carry on their misconceptions of justice and mercy because they think you and I like it.

REVEREND PETER McCORMACK of San Francisco, former Protestant chaptain at Alcatraz while Morton Sobell was imprisoned there:

"Best wishes for a successful meeting. Truth and justice will prevail. Morton Sobell will be vindicated. Hundreds of clergy who signed the clergy appeal stand fast in their belief that Sobell is innocent. We join you in urging his release."

MRS. MORTON SOBELL:

If those who believe that Morton is guilty are willing to stand up here on this platform tonight and ask for his release, how much more is it my responsibility, who know his innocence to ask that you be concerned with

We are going back into the courts to ask for a new trial, which would surely vindicate my husband. During the last year we have seen many requests for a commutation and for a new trial of Morton's case, including appeals by professors of law at New York, Chicago, Yale, Cornell and Northwestern Universities, Almost one thousand clergymen have asked for Morton's freedom. The Women's International League for Peace and Freedom has asked for a re-examination of this case, as has the California Democratic Council in a meeting of 3,000 delegates. There have been, among others, editorials in the CHRISTIAN CENTURY, the PORTILLAND OREGONIAN, the MILWAUKEE JOURNAL. On the world scene, Lord Bertrand Russell, Martin Buber, a group of 15 prominent Israelis, Pablo Casals, Jean-Paul Sartre, and many others have asked for Morton's freedom.

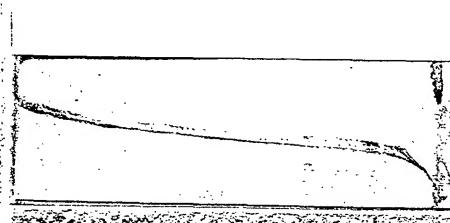
This decade has not been lacking in sorrow and suffering for us as a family. We wanted, Morton and I, to have more children together. We wanted to live normal lives. Despite prison, we have tried to do this in every way we could. We love each other dearly. For the sake of children, and because Morton is a fine person and a competent scientist, we need him at home. Please help.

ROGER BALDWIN, Chairman, International League for the Rights of Man:

"I am opposed to the continued imprisamment of Morton Sobell on the ground that the sentence was far too excessive for the offense, dictated by the hysteria then surrounding spy charges. The injustice done under the pressures of the time should be righted, so far as that is possible, by a speedy commutation to the time served, already too long."

CAREY McWILLIAMS, editor of the Nation magazine:

"I have always thought that Sobell was improperly convicted and that the vidence against him was wholly insufficient. This is no recent conviction. I have thought this way for a long time, and had occasion to say so at a Sobell dinner meeting in Cheago quite some years ago."



CONRAD LYNN, attorney specializing in the civil liberties field:

I can't'claim to come here tonight with a dispassionate view of the evidence against Sobell. By nature, I am a partisan. I want to congratulate not only the speakers, but this audience. It's a sign that the McCarthy period is coming to an end.

We once again see stirring the spirit that animated the rebel, Patrick Henry, to say, "Give me liberty or give me death," We're getting more of that spirit from those Southern Negro students, There is an upsurge, not just of Negroes. Because their conditions are the most severe, it is only natural that they should make the first break. This resurgence is the guarantee we have that political prisoners such as Morton Sobell will be free.

At the time that Morton Sobell was convicted, we had a classic instance of the pressure and influence of the mob spirit, and I say mob spirit because any mass pressure for conviction, regardless of evidence, is a mob spirit.

Regardless of the minutiae of evidence and regardless of the debates over whether this bit should have turned the scales or that bit, when we know that this savage sentence was meted out in the atmosphere of the time in which it was rendered, then we have an obligation at another period such as this to demand a review.

CONGRESSMAN WILLIAM MEYER, Democrat, Vermont:

"I am not trained in the law but I have attempted to study the background. This effort convinced me that Morton Sobell did not receive a fair and adequate trial. I have corresponded with the President and have urged him to consent to a new trial. Although, I have been unsuccessful, I am even more convinced that a new trial is essential to the maintenance of American standards of justice. I make no reference to innocence or guilt; I make no pleas for elemency or mercy. In asking or demanding that impartial justice be rendered to one man regardless of conditions, I am aware of the fact that I speak out for the future of all men."

UNITED STATES CONGRESSMAN RANDALL S. HARMON, Democrat, 10th District, Indiana:

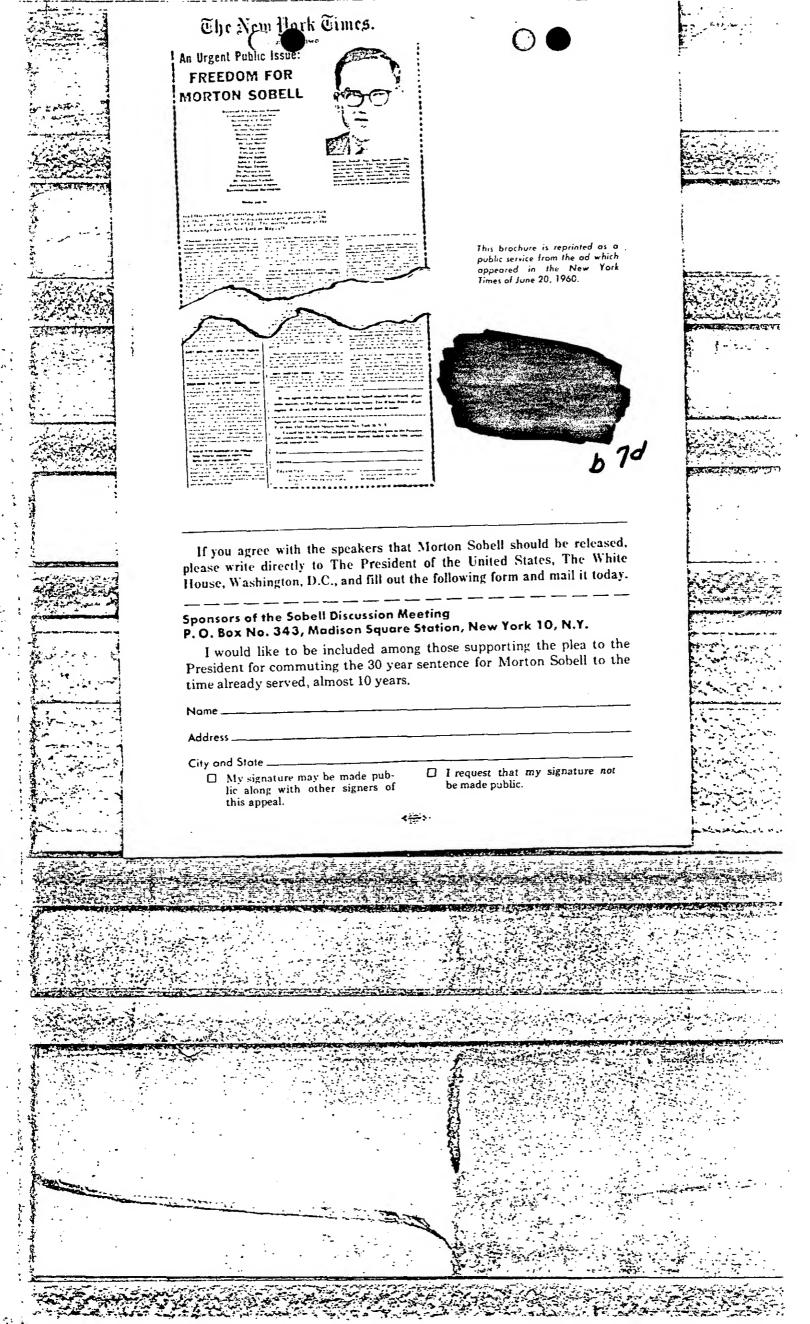
I consider it my duty to participate in this meeting because wherever there are questions of justice involved, every American should examine the facts. It is good that men of conscience and integrity who are highly respected throughout the country are uniting to sponsor this public discussion in the case of Morton Sobell. I have looked into Sobell's case and I am convinced that the 30-year sentence is completely out of line.

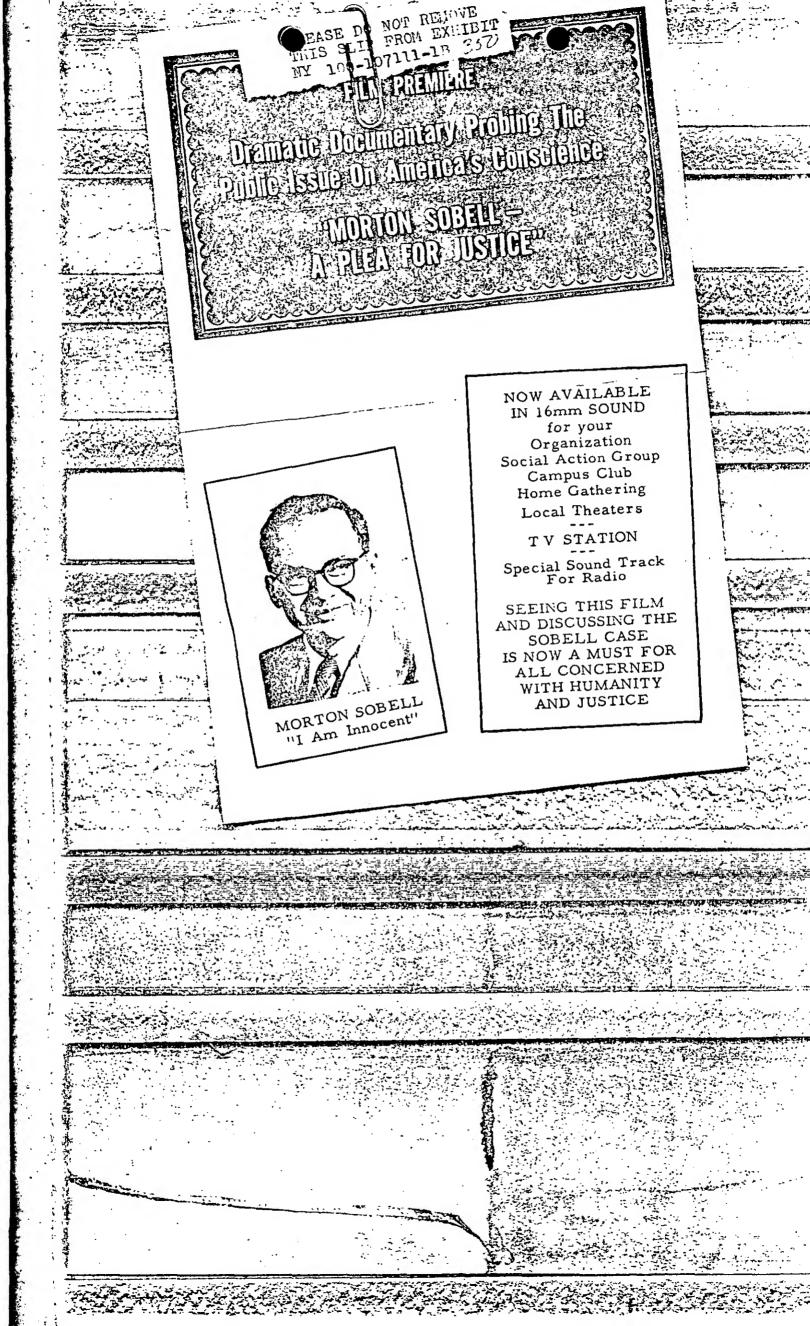
Mr. Sobell, now in his 10th year of prison, has always maintained his innocence. The possibility that an innocent man is imprisoned calls for careful study and positive action. It would. I believe, he in the public interest that Sobell he freed, and I intend to do everything in my power to see that this be done as quickly as possible.

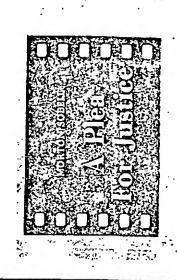
I don't know anything about the other people that were involved in this same case. I've never thought that capital punishment was the answer. Perhaps one reason why Morton Sobell has been imprisoned this long and why they won't give him another day in court is because it might be discovered that these other people were also innocent.

HOWARD RADEST, minister and leader of the Bergen, New Jersey, Ethical Society:

I think the innocence or guilt of a human being is not to be bandied in words before a large audience. What I am concerned about is the strange picture of human beings in the middle of the 20th century, with so many big things going on, who are willing to devote time and energy and effort to consider the fate of one single living human being. If we should ever lose this ability to be concerned about one, then whatever else we gain, we have indeed lost. The important thing that you can do as you go home is to let others know about the case and about what is being done. This would be just as important as those who can give money. Do both.







Makers of Bocurenting thousands as progression Sprung — Example of Trodings. Can a 'Pleading Film' Free Sobell!

PAROLE BOARD

ARRANGE A

UNITED STATES

APPEALS BY NOTABLES

TO THE

dentify themselves "on the day documentary field who want to reis said to case Sobell walks

"Highman of Alcairar. prison." They worked grails under the banner of Veritas Produc-Nobel Prize scientist; law pro-fessor Malcolm P. Sharp of the U. of Chicago; old Socialist presi-of such persons as Dr. II

A PLEA FOR JUSTICE" FILM SHOWING NOW * Purchase at \$75 per "MORTON SOBELL On Loan, or for white the state of the state of

29 minutes, 10 seconds

SOBELL COMMITTEE

940 Broadway New York 10, N.

purchase I wish to borrow purch a print of the new Sobell film,

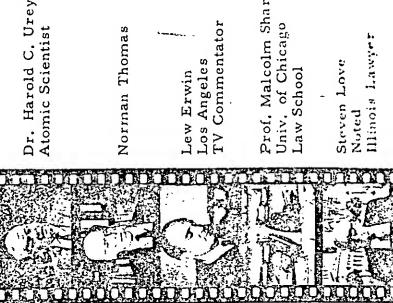
Enclosed find \$

Dease send me more informa tion on the Sohr Il case.

hely cerculate the elite. · 東京田大学社会である。東京の大学工会の

เลเทย

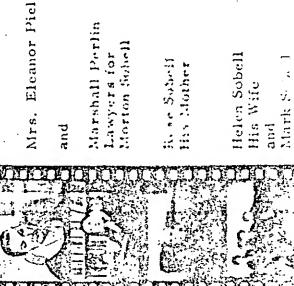
Featuring —



Los Angeles TV Commentator Lew Erwin

Prof. Malcolm Sharp Univ, of Chicago Law School

Illinois Lauyer Steven Love Dottor



Helen Sobell His Wife His Son, 15 liss Mother Mark % and

acdress

The first proof the new film has been given to the United State arole Board in support f Morton Sobell's plea for freedom. Following re excerpts from appeals to the Board by notables. (Affiliations are given for identification only.) DR. GARDNER MURPHY, The Menninger Foundation: "My views co-incide with those of Professor Harold Urey, whose logic seems to me to prove the utter falsity of the case against Morton Sobell. I believe moreover that American democracy is gravely imperiled by the existence of such cases and by the techniques of delay and evasion used to avoid swift and reasonable action. DWIGHT MACDONALD, author and critic: "Morton Sobell has now served 12 years, surely enough and more than enough punishment for a defendant who is not even accused of atomic espionage and against whom the Government's main charge was not that he had actually handed over any military secrets but rather that he had attempted to get others to do so, whether successfully or not the trial record, which I have read, doesn't make clear." DR. JOHN C. BENNETT, Union Theological Seminary: "The granting of this request (parole) would be a mark of confidence in our institutions and it would indicate that our government seeks to protect individuals who have been victims of injustice in part because of the intensity of public feeling at the time when they were tried and sentenced." DONALD E. J. MacNAMARA, New York Institute of Criminology: "I know that in these political cases members of the parole board are likely to meet with criticism from the 'radical right' and the 'superpatriots' if they vote for release, but I have confidence that you and your collectures will indee the Schell case on its marite." your colleagues will judge the Sobell case on its merits. LORD BERTRAND RUSSELL, England: "He was tried under the wrong law by the sole and uncorroborated testimony of an acknowledged perjurer whose perjury goes unpunished... Twelve years is long enough for vengeance, guilty or innocent. But this is an innocent man. An innocent man." SYDNEY SILVERMAN, M. P., England: "The conviction and sentence of Morton Sobell, the refusal to review it or re-try it, and the previous refusal of the parole have done the credit of the U.S. of America much harm in the minds of those who would like to be its friends all over the world." Others urging Sobell's release include: 1500 clergymen * Prof. Edmund-Cahn, N. Y. U. Law School * Prof. Thomas Emerson, Yale Law School * 30 members of British Parliament * Queen Elizabeth, Queen Mother of Belgium * Pablo Casals * Dr. Martin Buber, philosopher, and 30 noted Israelis * Norman Thomas * Roger Baldwin * Dr. Reinhold Niebuhr * Rev. Martin Luther King, Jr. * Writers James T. Farrell, Robert Bolt, Doris Lessing, Kenneth Tynan, Alan Sillitoe, Arnold Wesker, Maxwell Geismar, Lewis Mumford, Waldo Frank * U.S. Senator Lee Metcalf * Clarence Pickett * Women's International League for Peace and Freedom * Prof. John M. Krumm, Charlein, Calumbia University, Dr. Signature. * Prof. John M. Krumm, Chaplain, Columbia University * Dr. Simon Greenberg, Jewish Theological Seminary * Rabbi Maurice Eisendrath * Dr. Linus Pauling

Former Protestant Chaplain at Alcatraz

PLEASE DC NOT RE40 THIS SLIP FROM EXEM NY 100-1 7111-1B

Dear Friend:

During my period of service at Alcatraz, I came into close contact with all of the prisoners. I feel satisfied that I can evaluate human character quite accurately.

Through the years of my association at Alcatraz with Morton Sobell, I became more and more impressed with his innocence. This led me to make a studied investigation of his record at the prison as well as the trial record of the Rosenberg-Sobell case. The more I studied, the more convinced I became of the man's innocence. I feel so keenly about this case, and to state it frankly, somewhat ashamed that the courts of our land could be so influenced by public opinion fed by the hysteria of the McCarthy era, that I have set out in an address under the title "ALCATRAZ WAS MY PARISH" my evaluation of the man and the injustice perpetrated upon him by detaining him still in Atlanta penitentiary.

He is a man of fine intellect, of noble character, healthy-minded, a loyal American, a devoted husband and father, a noble son of humble but noble family. Yet the record still shows that here is a man, falsely accused, cruelly treated, sentenced on the flimsy testimony of a self-confessed perjurer and still suffering within prison walls.

The cry for justice has sounded many times through the centuries from the time of Amos the Prophet down to the present. To me no cry has had such merit to it as the cry for justice for Morton Sobell. I am satisfied if the Clergy of this land, whose mission it is to "seek justice and judgment," would acquaint themselves with this case, the relentless pressure of that segment of public opinion would compel our courts to re-open the case, freeing it from perjury, politics and prejudice, and in the light of honor and truth restore Morton Sobell to his rightful place as an American citizen, a man vindicated by the weight of public opinion and the justice and honor that we are entitled to expect to emanate from the courts of our land.

Please read this testimony to Morton Sobell from his chaplain at Alcatraz. We must match his courage with our courage until justice is granted. Will you join with the hundreds of clergymen from various parts of the country who have signed the enclosed appeal?

Rev. Thomas Kilgore, Jr.

Friendship Baptist Church New York

Rabbi Jacob J. 930 East 50th Street

Chicago, Illinois

thul behinenn.

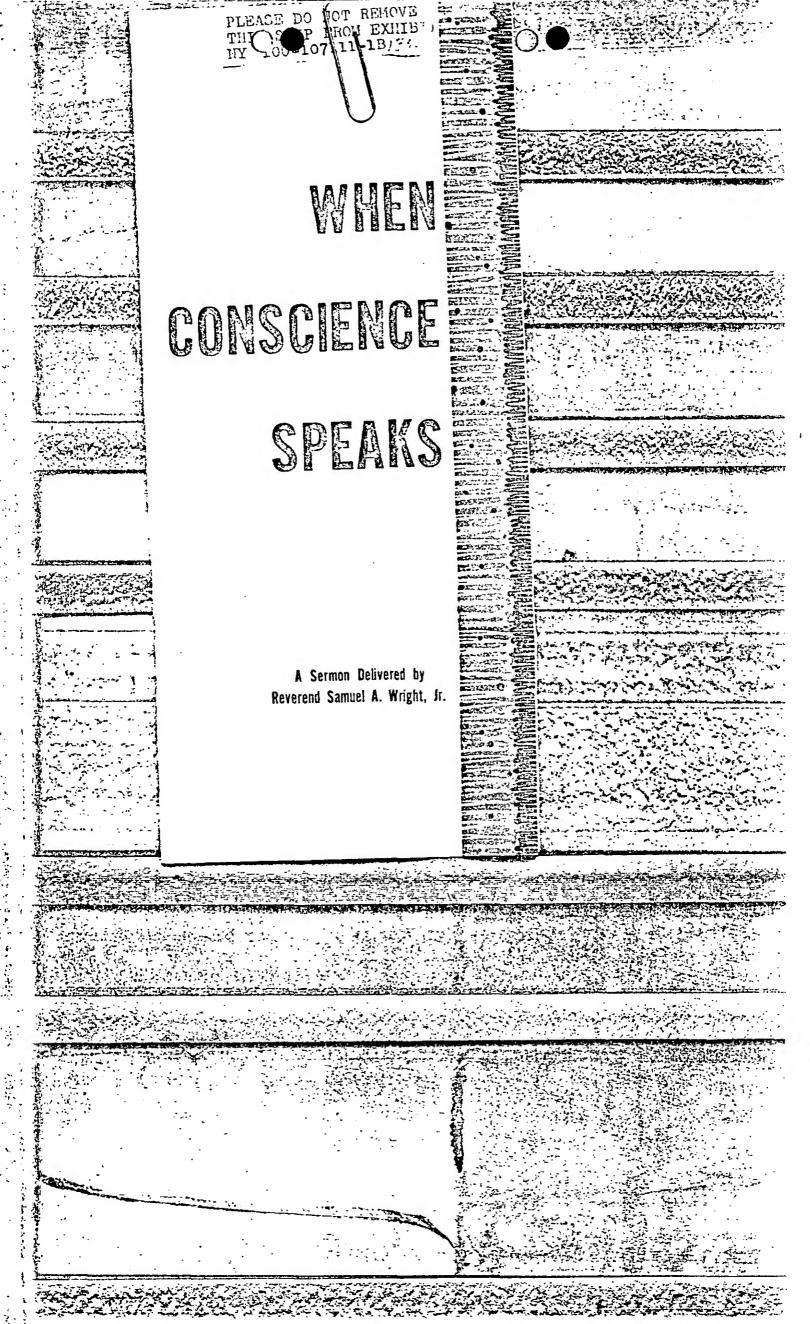
Dr. Paul Lehmann Harvard Divinity School Cambridge, Massachusetts

Professor Roland H. Bainton

Yale Divinity School New Haven, Connecticut Sincerely yours,

feter In Cormack

Rev. Peter McCormack



HEN CONSCIENCE SPEAKS

なかな 強かった

this, but all. I am an innocent man. I wish to forgive some people for what they are now doing to me. ' The the home of Judge Thayer, who never needed much of a guard because, for the few unhappy years he lived, judged Dreyfus? Who judged Mooney? A dead judge and that I have never committed any crime but somelimes some sin. I thank you for everything you have "The execution took place on August 23, 1927.... warden, who was in no way responsible, was hardly able to make the prescribed announcement after the The troops were called out to protect the prison and isn't of any use to the opposition.....Vanzetti said: 'I want to thank you for all you have done for done for me. I am innocent of all crime, not only he was a serviceable red tag for the 'reds,' Who me, warden. I want to tell you that I am innocent execution,"* This was the report of Phil Stong, at that time feature writer for the North American Newspaper Alliance. I was 8 years old in 1927, but I do recall the question of injustice being raised at the dinner table, attached to the names Sacco and Vanzetti. I remember my father saying, "They must be guilty or they would not be executed," Sacco and Vanzetti were arrested during the great red hunt of 1920; a shoe workman and a pushcart fish peddler. As Phil Stong reported at the time of the trial, "There had been so much newspaper agitation against the murderous reds' that the chauvinistic louts on the jury would have convicted Bart Vanzetti of riding a broomstick if he had had a splinder in his finger. Being a wandering fish peddler, his alibi was worthless."

I was just learning to walk when Sacco and Vanzetti were arrested, and I must admit that until a few weeks ago, these names were to me only some kind of a war-cry, like "Remember the Alamo," whenever someone felt there was an unjust accusation of a crime. As I read the reports of the case, I ran across this statement by a conservative editor of the Boston Transcript. "No, of course they weren't guilty. When you are familiar with the transcript, which you can't be through the newspaper reporting of the trial, you'll see that it's more or less insulting to anyone's intelligence to ask that question...

If they'd been railroaded intelligently it would have saved all this."

I have recently finished reading the one thousand seven hundred and fifteen pages of transcript of the Rosenberg-Sobell "conspiracy" trial which resulted in the electrocution of Ethel and Julius Rosenberg, June 19, 1953, and the sentencing of Morton Sobell to thirty warre in prison. If was because for march

to this trial, that I informed myself on that case also,

I must confess that I had not explored this matter before because I have great faith in our courts, and I know there are spies and it is the court's job to look after the matter, so why bother. I must also admit that I have felt for a long time that this Rosenberg-Sobell affair was a blurred picture, and was on my conscience, but when conscience speaks, it does make cowards of us all, and if I did not look too deeply I might not need become concerned. Besides, I have much else that concerns me and the days are short.

However, on February 2nd, a Presbyterian elergyman who was just completing a lifetime in the ministry called on me at the church office. He introduced himself as the Reverend Peter 3c Cormack, Minister of Visitation of Saint John's Presbyterian Church in San Francisco and former protestant chaplain at Alcatraz. He said that he was there on behalf of Morton Sobell. I then recalled that it was Reverend Mc Cormack who after five years as chaplain at Alcatraz had signed a petition asking for a new trial for Morton Sobell (who was then in Alcatraz) and he was relieved of his job for being too zealous for the welfare of the prisoners.

around 300 B.C., "Guilty consciences always make people cowards," and Shakespeare picked up the reis sicklied o'er with the past cast of thought, and enthe other persons on whose behalf I might act or had I am afraid I gave this elderly Scotch minister a terprises of great pith and moment with this regard Court of the United States? I asked him why he was know that he was not being used by forces that were frain in Hamlet, "Thus conscience does make cowothers. I even asked him what role the Communist rough time, for it is written in the Panchatantra of ards of us all; and thus the native hue of resolution their currents turn awry, and lose the name of acshould be more concerned about Sobeil than any of so concerned about one man over and above many acted. Hadn't the case been before the Supreme Party members had in this case -- and how did he tion." I asked the Reverend Mc Cormack why I not at all interested in justice?

Very simply, he told the that as Chaplain at Alcatraz, he became personally closely acquainted with Morton Sobell, that from his more than 30 years in the parish ministry, he fell he knew Sobell well enough to say that he believed he was utterly incapable of what he was charged; that Morton Sobell was a man of professed convictions in the best things of our tradition. He said that out of his interest in the man, he acquired a copy of the trial transcript, and upon reading it became convinced of Sobell's innocence.

the requirements for the kind of scholarly, independent and objective investigation necessary to raise the need for a reappraisal of the case, to the end that enough public opinion might be brought to bear so that new evidence and obvicus per ary would open the matter for a new look, with the reflection that comes from the passage of time, and a freedom from fears and passions of a few years ago. Moreover, he pointed out, Morton Sobell, maintaining his innocence, remains imprisoned under a thirty year serience, thus giving an urgency in human terms as well as in historical necessity.

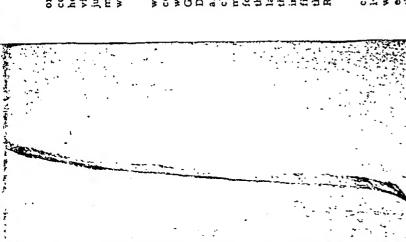
I told the Reverend Peter Mc Cormack that if he would send me a copy of the trial transcript, I carefully read it and give him my answer after in effect, done the independent investigation necessing for me to express an opinion. He sent me the Booklets of the transcript which I still have to return. After reading the transcript carefully I have come to the same conclusion as Dr. Harold C. Urey, the world renowned atomic scientist of the University of Chicago, that 'the proof of the guilt of Morton Sobell is far from satisfactory to me," and that "additional evidence substantiating my suspicions has convinced me that the jury's verdict of guilty was incorrect and that the Rosenbergs were not 'guilty beyond a reason-

able doubt, '" *

(as in this case) in payment for testimony is particusuch people are less secure than they were previous larly pernicious. One cruminal accuses another who est to all who work on secret military matters, for ecuted? As Dr. Urey said, "This case is of intersystem encourages criminals. If you wish to commit a crime, pick out one of your 'friends' or a reabout necessary innoculations for a trip to Mexico) ly. This practice of giving immunity to criminals various ways (namely ask him to ask his physician lice sets the stage for framing innocent people, and Well, what can be accomplished by bringing ap these matters after the Rosenbergs have been exthen commit the crime and if caught give evidence ism and espionage are not fought by executing innoare particularly threatened. Moreover, communthe maximum punishment to the innocent person, I haps someone else is doing this and you are the 'accomplice' without knowing it at all. The pracpeople who carry military secrets in their minds lative whom you do not like, compromise him in against your 'accomplice' and go free! Or, peragain accuses another until perhaps an innocen son is accused and the chain is broken and we

Sobell and his family went to Mexico. The prosécution insisted that he went there to flee the country, and a card with the words "Deported from Mexico" stamped on it was presented in court as evidence of flight. Teday there are official documents from the

was taken from his family in Mexic City then claiming to be Mexican secret police and charged with being a Johnny Jones who robbed a bank in Acapulco of \$15,000. He was refused a request to contact the American embassy, was beaten unconscious, driven to Laredo, Texas, and delivered to a waiting party of FBI agents. He had tourist cards in his own name; he declared his camera in Dallas, Texas, in his own name in order to avoid tariff on his return home. Schelle additional and the second of the second tariff on his return home. Sobell's airline tickets, visa, and camera declaration were in the FBI's possession until 1954, (three years after the trial) when they were then released to Sobell's attorneys who have incoporated them in the petitions which were recently before the courts. Another incredible thing in relationship to Sobell's trial is that only one witness testified that Sobell had been involved in a conspiracy. This witness, Max Elitcher, a boy-hood friend and former classmate, and a confessed perjurer and inveterate liar, had the powerful moperjurer and inveterate liar, had the powerful motive of escaping a prison sentence when he acted as a witness for the prosecution. Judge Kaufman himself said when he instructed the jury, "If you do not believe the testimony of Max Elitcher as it pertains to Morton Sobell, then you must acquit the defendant Sobell." That jury in 1951 chose to believe Max Elitcher, and Judge Kaufman sentenced Morton Sobell to thirty years Sobell to thirty years. There are many aspects of this case into which I might go if I had the time this morning, so you might understand why I believe it is most important that this whole matter be reopened -- if for no other reason than our children's sake, because of the kind of climate which we bequeath the next genera-tion! When conscience speaks, it does make cow-ards of us all, but some of us have been forced into the open in the cause of justice. I feel as Lord Bertrand Russell did when he wrote: "I am ashamed to say that at the time of the Rosenberg-Sobell trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent.....But the Rosenbergs are dead and nothing can be done for them. Sobell, however, is alive and it is not too late for the U.S. Government to make some reparation to him." To those of you who have never questioned the guilt of those convicted in the Rosenberg-Sobell case, this sermon no doubt comes as something of a shock. It comes as a shock to anyone who implicitly trusts the justice of American legal procedure. In speaking of the Rosenbergs, Dr. Harold Urey said, "People ask why the prosecuting attorney and the FBI and the judge should wish to see two insignificant people put to death unjustly. After considerable conversations with lawyers on this subject, including one who worked judge should wish to see two insignificant people put to death unjustly. After considerable conversations with lawyers on this subject, including one who worked on the government side of this case, I concluded that lawyers are more interested in whether all the legal machinery functions according to all the rules, and are not in the least interested in the arguments which are important to me. There are exceptions, of course." * The Rev. I win Gaede, Unitarian Church of Westwood, Carfornia A Comment of the comm The same of the sa



Personally, I do not know whether the Rosenbergs, or Morton Sobell are guilty or innocent. But I am convinced in my own mind that much more should be heard in a case where lies and counter lies are obviously in evidence. If we believe in the striving for justice and moral integrity in our country, this is a matter which concerns each of us. My conscience will not let this matter lie.

ormation to the Russians more than ten years ago -nto outer space! Would any reputable scientist conwondering how it could be possible that the Russians lirm such a story? Yet this statement was made by launch a successful satellite over a decide ago, but that by stealing our "secrets" the Russlans beat us ment that the Rosenbergs had given space travel inand brother-in-law (the Rosenbergs) to the electric the inference apparently being that we knew how to could have sent two sputniks into outer space while Greenglass in Lewisburg penitentiary -- the same Do you recall a senate investigating committee David Greenglass whose testimony sent his sister chair? The committee came forth with the statewe had sent none and deciding to inquire of David the same man who was the chief witness in the Rosenberg-Sobell trial, The Dreyfus affair in France, the Sacco-Vanzetti case in our country, the political climate of the early 1950's, with the loose nature of conspiracy charges where little was needed to convict, the plausibility of evidence by perjurers and self-confessed spies, all this weighs upon my conscience. The climate in which the Rosenberg-Sobell case was heard bordered on the hysterical. It was a fearful time to speak out. I signed a petition (a citizen's constitutional method of expression) and made the front page of the Boston Traveler, with all the inference that I was part of a plot to overthrow the United States Government and turn it over to the Soviet Union! There was very little sanity about, and it seemed as if the world had gone a little mad.

TOTAL STATE

I must confess that I, too, was a little mad, I could have done much more than I did. The mark of madness is disorientation, and I think even today the religious liberal has badly lost his sense of direction. We are confused, bewildered, and thwarted. In these turbulent and challenging times, emotions well up to seek expression; but the liberal cannot merely emote, he must reason his reaction and understand in order to believe. He must believe in order to act, even as he must act to affirm his belief. He is suspicious of authority, allergic to propaganda, yet he must have information in order to understand. Being overwheimed by competing, often conflicting propagandas, he is confused, thwarted, maladjusted.

Someone coined the phrase, "We suffer the paralysis of analysis," True as this is it does not describe what seems to be the basic malady. The basic malady, it seems to me, is our loss of faith

in moral law. The detachment of moral law from superstitious sanctions has reduced its impressiveness. With no Hell and no wrath of God to punish the wrong doer, evil has become less frightening, and so with other dogmas of religion. What we often fail to see is that dogmas come and go but the values and the sense of enduring purposes which these things symbolized are the foundation of civilization. And when they have gone, so has each civilization in history.

form of tyranny only to put in its place a more sweepmasses, My point is that liberals in religion have alfy the exact opposite. Citizens who pride themselves the status quo, took refuge in name-calling, suppresnot new. It is as old as history. It conducts inquisilowed themselves to be taunted by those who personiforget that this means our political party may be outrefusal to tolerate disagreement however sincere. It bills and those who scarch for loopholes in the legislawed tomorrow by majority rule. Preachers of the open mind in theological matters often become veheamong many business concerns it is a common praclation. This is not illegal; but then neither is it ila friendly price. It is a matter not of legality but of to the big contributors? This disease is internationupon democracy in religious matters often prove inand do what everybody else does? Lobbyists for big newspapers are not honest. They seldem print what politics or industrial relations. I heard them try to course you can say why be fussy? Why not get wise is the philosophy of the pseudo-radical, the militant ing, more dictatorial tyranny of another sort. It is tice to employ specialists in the avoidance of taxes, A battle of wits goes on between those who draft tax early 1950's, in fear of real or imagined threats to the beds of respectable citizens, or threatening the hysteria that led us to bill Hitler after World War I dealer when he finds himself in tax difficulties. Of might reduce their advertising. Even the churches "as a bulwark against communism," We too easily We are schizoid -- a nation with a split personality are not honest. How often do they preach the truth sive activities, the illusion of infallibility, and the And it is high time we became cured of it. This is viduals. It is a philosophy of reaction which in the (whether called fascists or communists) lurking a. not just a matter of government. I happen to know al in scope -- attacking nations, groups, and indioutlaw the same party and for the same reasons of revolutionist who would overthrow by violence one talked about the desperateness of our situation and round every corner of social change, hiding under morality. The next step, of course, comes when concerns succeed in influencing legislation. The tolerant -- even aggressively authoritarian -- in ment with those who hold opposing views in other Since the end of the second world war we have the collector is expected to favor the automobile have acted as though it were not desperate at all tions. It shies at shadows and finds bogey-men

If a person's religion is a way of life, a relifliberal in one area presupposes a liberal positive the others. The alternative is schizophrenia. When conscience speaks, religious liberals tend to become frustrated. The lack of an oriel a yardstick, ham strings action. Feeling strong prevented from expressing their feelings throughout, many of us have become maladjusted, "I conscience does make cowards of us all; and the native hue of resolution is sicklied o'er with the cast of thought, and enterprises of great pith armoment with this regard their currents turn awand lose the name of action."

By action in consonance with our beliefs, we restore our sanity.

Transcribed by Hazel Stevenson

A Sermon Delivered on April 12, 1959

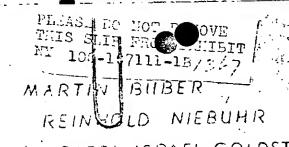
by

SAMUEL A, WRIGHT, 3r.

Minister

THE UNITARIAN CHURCH OF MARIN

Meeting in the Tamalpaís Centre Women's Club Kentfield, California



BERTRAND RUSSELL RABBI MAURICE EISENDRATH

RABBI ISRAEL GOLDSTEIN-STRABEL HARRY HALPERN

RABBI BALFOUR BRICKNE

DR. MARTIN LUTHER KING ART

MAN THOMAS PABLO CASAL

and other notables from the United States and abroad

have asked for

FREEDOM / MORTON SOBELL

HOW DO YOU, THE JURY, FIND?

The Rosenberg-Sobell Case Alter 10 Years
(The Rosenbergs were executed June 19, 1953)

Carnegie Hall Wednesday, Gune 19, 8 P.M.

- * Hear DR. HAROLD C. UREY Nobel Prize atomic scientist
- * See a new cocumentary motion picture WORTON SOBELL A PLEA FOR JUSTICE -- The story of the American scientist condemned to 30 years and of world-wide appeals to free him

laminelan Si

"I AM INNOCE: " Morton Sobell continues to state to the world in his thirteenth year of imprisonment. "I have been unjustly accused, unjustly tried, unjustly sentenced, and unjustly imprisoned these many long years."

end before their execution ten years ago.

For information and tickets: SCBELL COMMITTEE, 940 Broadway. New York 10, R.Y. AL 4-9983

100-107/11/1B, 68 MARTIN NIFRUHT REINHOLD RABBI ISRAEL GOLDSTEIN -

BERTRAND RUSSELL RABBI MAURICE EISENDRATH RABBI HARRY HALPERN RABBI BALFOUR BRICKNER

DR. MARTIN-LUTHER KING, JR. NORMAN THOMAS

PABLO CASALS

and other notables from the United States and abroad. have asked for

HIS SLIP FROM ENHIBIT

FREEDOM 10, MORION SOBELL

HOW DO YOU, THE JURY, FIND

The Resemberg-Sobell Case Alter 10 Years (The Rosenbergs were executed June 19, 1953)

Carnegie Hall Wednesday, June 19, 8 P.M.

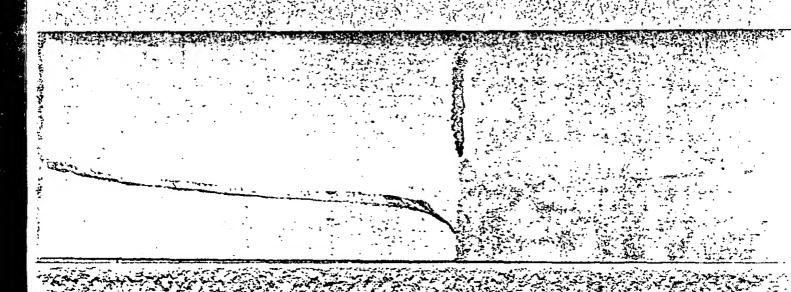
- Hear DR. HAROLD C. UREY, Nobel Prize atomic scientist
- See a new documentary motion picture SORTON SOBELL A PLEA: FOR JUSTICE -- The story of the American scientist condemned to 30 years and of world-wide appeals to free him

Aāmission: Sl

"I AM INOCEMENT Morton Sobell continues to state to the world in his thirteenth year of imprisonment. "I have been unjustly accused, unjustly tried, unjustly sentenced, and unjustly imprisoned these many long years.

"WE ARE IMBOSE!" Ethel and Julius Rosenberg vowed to the end before their execution ten years ago.

For information and tickets: SOBELL COMMITTEE, 940 Broadway, New York 10, 11.Y.



NEW EVIDENCE IN THE : ROSENBERG-SOBELL CASE

Morton Sobell was convicted of conspiracy to commit espionage in the trial with Ethel and Julius Rosenberg and was condemned to the unprecedented sentence of 30 years in Alcatraz. Sobell, who swears he is innocent, is appealing to the Supreme Court on the basis of new evidence that challenges the testimony of major prosecution witnesses.

The weakness of the case against Sobell is underscored by the fact that these very witnesses did not even associate Sobell with espionage activity. Their testimony was directed at Ethel and Julius Rosenberg. But by the loose "conspiracy" charge, all testimony against the Rosenbergs automatically applied to Sobell. The only witness who associated Sobell with espionage was Max Elitcher, who admitted on the stand that he feared a prison sentence for perjuring himself in another matter.

The new evidence consists of the following:

EXHIBIT A: The Documents

The prosecution's entire case is challenged by facts reflected in a series of documents consisting of photostots of memorandums from the law firm of O. John Rogge. Rogge was the attorney for David and Ruth Greenglass, chief prosecution witnesses. The documents reveal that the prosecution made a deal for the testi-

mony of the Greenglasses, and that the Greenglasses gave perjured testimony.

The following is an excerpt from an inter-office memorandum. The initials RHG presumably stand for Robert H. Goldman, an attorney in the Rogge firm. The memo is based on a conference with Myles lane, former Assistant U. S. Attorney.

ME HO

8/23/50

FROM RHG TO FILE

Re: Greenglass

Lone, the Assistant U.S. Attorney, called me at 1:00 o'clock and told me that something important had come up with respect to New Mexico and would I and/or Fabricant see him this afternoon. I told him that I could and HJF would come with

Lene wanted to know when OJR would return and I told him that we had expected him and in fact were trying to ascertain exactly when he would return. HJF and I went over to see Lene at 4:00 o'clock. He told us that Bloch had earlier in the day argued to the judge at the arraignment of his clients that they were absolutely innocent and that from the fact that Greenglass was not indicted but merely named as a co-conspirator in the New York indictment, it looked to Bloch as if the government had made a deal with you as Greenglass' attorney. Lane felt that we would now have to consider the question of whether it was OK that Greenglass be indicted here in a superceding indictment and not merely named as a co-conspirator. He would then be a defendant and be tried here in New York but would testify against the others.

The above document reveals the nature of the deal. In the first indictment the Greenglasses were named as co-conspirators, but not as defendants. However, when defense attorney Bloch charged a deal was under way, Lane said that Greenglass "would

2 Even then Gree s was promised a suspended sentence, as indicated in a nd document. This one was addressed to OJR, presumably O. Jahn Rogge, and written by RHG.

ME WO

TO: OJR FROM: RHG

Re: Greenglass

8/21/50

I spoke to Ruth Greenglass this morning. She is feeling better and so is Dave apparently about the fadt that they were not named as defendants. From Helen I learned that she may have been a little upset about it originally but now she feels the thing is moving smothly.

However, Dave is worried about something else which I was able to reassure him an through Ruth. Some of his cellmates in the Tombs have been telling him horror stories about the treatment he will get. I told her that we were happy to say that few of our clients went to jail but those who did had never had such a complaint. I further assured who did had never had such a complaint. But her that Saypol would not permit any mistreatment. But the thing that impressed her most however was that I told the thing that impressed her most however was that I told her that you were on friendly terms with Bennett, Director of Prisons. This impressed her because she feels that Dave may not get a suspended sentence and is worried about the kind of treatment he will get. I assured her that if he does go to jail for a period of time that you would certainly not hesitate to speak to Bennett and to make sure that Dave got good and fair treatment.

The above document reveals that Greenglass was first promised a suspended sentence, but then told he might have to accept going to jail "for a period of time." However, Greenglass was assured that Director of Prisons Bennett, the man who selected Alcatraz for Morton Sobell, would see that Greenglass was treated well.

The deal has been carried out. The Greenglasses testified for the prosecution, Ruth Greenglass was never indicted. David Greenglass, although not treated quite as leniently as he had expected, will be eligible for parole in 18 months.

- 3 Another document consists of a handwritten statement which Greenglass made to his attorney. In this statement he directly contradicts testimony he gave at the trial and reveals that he made a false deposition to the F.B.L.
- Another document reports an interview between Ruth Greenglass and her attorney. Mrs. Greenglass stated that her husband, David Greenglass, had a "tendency to hysteria," and once ran nude_through_the hallway.

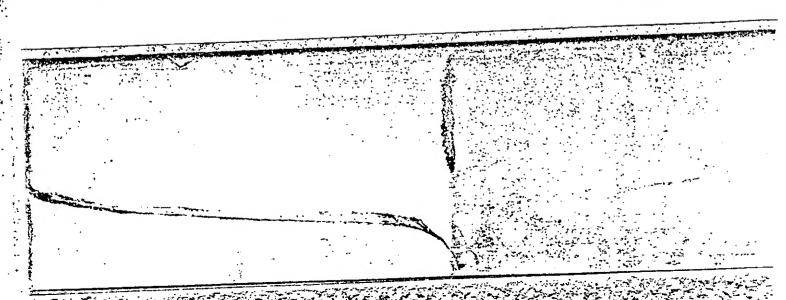
shrieking of "elephants" and "lead pants." She said she had known him since he was ten years old and that "he would say things were so even if they were not." Mrs. Greenglass also said that her husband talked of suicide "as if he were a character in the movies."

EXHIBIT B: The Affidavits

- An offidavit by the brother of David Greenglass states that Greenglass admitted having stalen uranium from Los Alamos. This upholds the testimony of Julius Rosenberg, who testified that he feared Greenglass was in trouble, possibly because of uranium theft.
- 2 An affidavit proves the Rosenberg console table was an inexpensive one bought at a New York department store, as Julius kosenberg had testified. The affidavit, made by a buyer of the department store on the basis of markings on the table, refutes the prosecution testimony that the table was an expensive one given the Rosenbergs by the Russians and that it had a secret compartment for microfilming.

This new evidence is being presented as a basis for a new trial for Morton Sobell on the belief that had the jury known of this evidence at the time of the first trial, it might have reached a different verdict. American justice demands that this new evidence be examined in a new trial for Morton Sobel!.

Printed as a public service by the NATIONAL ROSENBERG-SOBELL COMMITTEE, 1050 Sixth Ave., New York 18, N. Y. LO 4-9585



PLEASY DO NOT REMOVE
THE SLIP FROM EXHIBIT

UNITED STATES COURT OF APPEALS

For the Second Circuit

No. 151---October Term, 1962

(Argued December 7, 1962 Decided February 6, 1963)

Docket No. 27558

United States of America,

Appellee.

٧.

Morton Sobell,

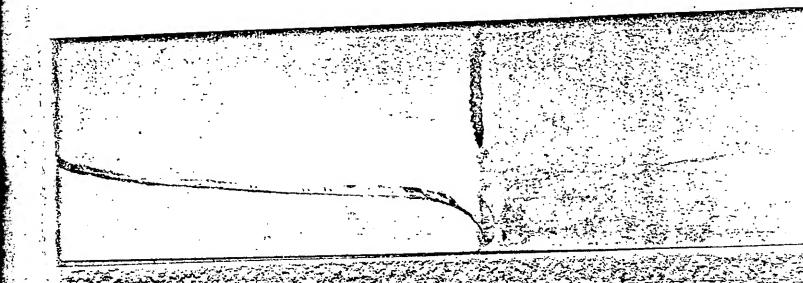
Appellant.

Before:

SWAN, FRIENDLY AND MARSHALL, Circuit Judges.

Appeal from an order of the District Court for the Southern District of New York, John F. X. McGohey, Jr., 204 F. Supp. 225 (1962), denying a motion under 28 U.S.C. 2255 to vacate a conviction and sentence and, with respect to one of the grounds asserted, to reduce the sentence pursuant to F. R. Crim. Proc. 35. Affirmed.

Marshall Perlin and Sanford M. Katz (Donner, Perlin & Piel), New York, N.Y. (Frank J. Donner, Eleanor Jackson Piel, of Counsel), (Benjamin Dreyfus, San Francisco, Cal., on brief), for appellant.



ROBER . GENIESSE (Vincent L. Broderick, hited States Attorney for the Southern District of New York, Arthur I. Rosett, Assistant United States States Attorney, on brief), for Appellee.

FRIENDLY, Circuit Judge:

On March 29. 1951, a jury in the Southern District of New York found Morton Sohell guilty, along with Julius and Ethel Rosenberg, under a single count indictment charging a conspiracy to violate 50 U. S. C. (1946 ed.) 32(a), which made it a crime to "communicate, deliver, or transmit, to any foreign government * * information relating to the national defense," or to aid or induce another to do so. Sobell was sentenced to thirty years imprisonment, under the proviso that whoever shall violate 32(a) "in time of war shall be punished by death or by imprisonment for not more than thirty years," as contrasted with the twenty years imprisonment that constituted the maximum penalty at other times. This Court affirmed the judgment of conviction, United States V. Rosenberg, 195 F.2d 583 (1952); Judge Frank, who wrote the opinion, dissented as to Sobell on the sole ground that the question whether he had become a party to a larger conspiracy "to transmit all kinds of secret information", or only to a smaller one to transmit "just certain kinds which he knew about", should have been separately submitted to the jury since many acts and declarations relating to the larger conspiracy which were received in evidence without restriction could properly be considered against him only in the former event, 195 F. 2d at 600-602. Certiorari was denied, 344 U. S. 838 (1952).

Sobell's instant motion, the appeal from Judge McGohey!'s denial of which, 204 F. Supp. 225 (S. D. N. Y. 1962), is here before us, is his fifth attempt to obtain post-conviction relief under 28 U.S.C. 2255 or the Eules of Criminal Procedure, He gdvances two separate grounds, sometimes hereafter characteristal as the Grunewald ground and the "in time of war" ground; he claims, subject to a qualification noted in the margin, that these grounds, although appearing on the trial record itself, have not been heretofore raised either on appeal or on motions for post conviction relief. Although the Government disputes this, we put the controversy to one side, as we do also the issue of law-on which the courts of appeals have divided—whether the provision of 2255 that "The sentencing court shall not be required to entertain a second or successive motion for similar relief on behalf of the same prisoner" is applicable when the later motion seeks the same "relief" as an earlier one but on a different ground. See the review of the authorities by Judge Wilbur K. Miller dissenting in Belton v. United States, 259 F. 2d 811, 824-25 (D. C. CIR. 1958); Smith V. United States, 270 F. 2d 921 (D. C. Cir. 1959). We read Judge McGohey's opinion as having "entertained" Sobell's motion on the merits; we shall consider the appeal on that basis. See Taylor v. United States, 238 F. 2d 409, 411 (9 Cir. 1956), cert. denied, 353 U. S. 938 (1957).

The state of the s

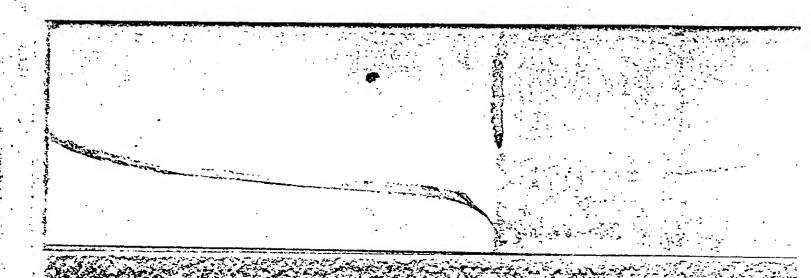
1. THE GRUNEWALD GROUND.

What we have called the Grunewald ground relates to the point decided in Part III of Grunewald v. United States, 353 U. S. 301. 415-424, 425-426 (1957), with respect to the defendant Halperin. When testifying at the trial on his own behalf. Halperin was cross-examined as to various matters on which he had been interrogated before a grand jury; The he answered in a way consistent with innocence. Government was allowed, over objection, to bring out that before the grand jury Halperin had pleaded the privilege against self-incrimination as to these very questions. The judge instructed that although the jury was "not to draw any inference whatsoever as to the guilt or innocence of the defendent in this case by reason of the fact shat he chose to assert his unquestioned right to invoke the Fifth Amendment on that previous occasion", it might consider "his prior assertions of the Fifth Amendment only for the purpose of ascertaining the weight you choose to give his present testimony with respect to the same matters upon which he previously asserted his constitutional privilege." Which he previously asserted his constitutional privilege."
We affirmed, 233 F. 2d 556, 568 (2 Cir. 1956), relying on
Raffel v. United States, 271 U. S. 494 (1926) and our own
previous decision in United States v. Gottfried, 165 F. 2d
360,367, cert. denied, 333 U. S. 860 (1948), which in turn
had cited United States v. Mortimer, 118 F. 2d 266 (s Cir.),
cert. denied, 314 U. S. 616 (1941); United States v. Groves,
122 F. 2d 87 (2Cir.), cert. denied, 314 U. S. 670 (1941,
and United States v. Klinger, 136 F. 2d 677 (2 Cir.), Cert.
denied, 320 U. S. 746 (1943); Judge Frank dissented, 233
F. 2d 571-92. The Supreme Court unanimously reversed. The
opinion of the Court, by Mr. Justice Harlan, held that opinion of the Court, by Mr. Justice Harlan, held that "in the particular circumstances of this case the crossexamination would have been excluded because its probative value on the issue of Halperin's credibility was so negligible as to be far outweighed by its possible impermissible impact on the jury", to wit, as direct evidence 353 U. S. at 420. Recognizing that "the question of guilt. whether a prior statement is sufficiently inconsistent to be allowed to go to the jury on the question of credibility is usually within the discretion of the trial judge", the Court held that "where such evidentiary matter has grave constitutional overtones, as it does here", the Court would "draw upon our supervisory power over the administration of federal criminal justice in order to rule on the matter. Cf. McNabb v. United States, 318 U. S. 332." 353 U. S. at 4234424. Mr. Justice Black, for the Chief Justice, Mr. Justice Douglas, Mr. Justice Brennan and himself. did "not, like the Court", rest his "conclusion on the special circumstances of this case"; he could "think of no special circumstances that would justify use of a constitutional privilege to discredit or convict a person who asserts it." 353 U. S. at 425.

The asserted bearing of Grunewald here is as follows:
The Government's case against Sobell rested almost wholly
on the testimony of Max Elitcher, who, in addition to
testifying to some independent attempts at espionage by
Sobell, linked him closely with Julius Rosenberg. The latter
contradicted the testimony of Elitcher with respect to
Sobell, as he also did the testimony of David and Ruth
Greenglass and Harry Gold with respect to the disclosure of
atomic secrets by him and his wife. Ethel Rosenberg corroborated many of her husband's denials of the testimony of
the Greenglasses and Gold. Her cvidence did not bear
directly on Sobell, but there was no particular reason why
it should, since Elitcher had not implicated her in any of
Sobell's activities. Sobell did not take the stand.

Mrs. Rosenberg testified on direct and cross-examination about many matters upon which she had claimed the privilege before the grand jury. Repeatedly the prosecutor questioned her as to the supposed inconsistency between the versions of innocence to which she testified at the trial and her previous claim that answering questions about these same matters would tend to incriminate her. When objections or motions for a mistrial were made, the judge overruled or denied them, as he was required to do by the decisions of this Court cited in our opinion in Grunewald. Both during the trial and in his charge the judge made it crystal-clear that Mrs. Rosenberg's "failure to answer such questions (before the grand jury) is not to be taken as establishing the answers to any questions she was asked before the Grand Jury, but may be considered by you in datermining the credibility of her answers to those same questions at this trial"--a correct statement of the rule as then established in this circuit. The matters about which Mrs. Rosenberg was interrogated with respect to her prior claim of privilege included her admission at the trial that she had consulted a lawyer prior to appearing before the grand jury; her denial of having discussed the case with her brother, David Greenglass; her denial of having discussed David's atomic work with him or his wife, or with her husband; her memory of a furlough visit from David in January 1945; her denial of having seen Harry Gold until he appeared in the courtroom; and her denial of having ever met Anatoli Yakovlev.

As regards some of these items, there was greater inconsistency between Mrs Rosenberg's claim of privilege before the grand jury and her testimony at the trial than in Halperin's case. It is hard, for example, to see how her claim before the grand jury that answering the questions about Harry Gold and Yakovlev would tend to incriminate her can be reconciled with the answers—outright denials of knowing either man—that she gave to these questions at the trial; it can scarcely be said, as the Supreme Court said of



Halperin, that "had (she) answered the questions put to (her) before the Grand Jury in the same way (she) subsequently answered them at trial, this nevertheless would have provided the Government with incriminating evidence from (her) or mouth." 353 U. S. at 421-22. Hence, as regards these questions, it is by no means certain that the test laid down by the majority of the Supreme Court in Grunewald, that not balancing probative value against danger of prejudice would have led in this case to the same result. We need not decide whether, as Sobell contends, that result would nevertheless be required by other factors present in this case but absent in Grunewald, such as the prosecutor's interrogation as to whether the claims of privilege before the grand jury had been truthful, and as to the reasons why the privilege had been claimed. For the inquiry about the prior claim of privilege in regard to questions answered at the trial cherwise than by outright denials—for example those concerning Mrs. Rosenberg's relations with the Greenglasses and her consultation with her lawyer—would fall under the analysis made by the majority in Grunewald

and her consultation with her lawyer-would fall under the analysis made by the majority in Grunewald.

Sobell contends that if the point had been made on Mrs. Rosenberg's appeal to this Court (where presumably it would not have prevailed at the time, despite Judge Frank's subsequent espousal of it in his Grunewald dissent), if the Supreme Court had granted certiorari, and if the Court had then decided as it did five years later in Grunewald, any new trial would have included Sobell, since the Government's evidence was broadly inconsistent with a conclusion that he alone was guilty. It could be said against this that, vis-a-vis her co-defendants, Mrs Rosenberg was simply a witness, and that the improper denial of a claim of privnew trial on the appeal of a party, "whose only grievance can be that the overriding of the outsider's rights has resulted in a fuller fact-disclosure that the party desires." McCormick, Evidence (1954), p.153 and see cases cited in fin. 8; 8 Wigmore, Evidence (McNaughton rev. 1961) pp. 112-13; 416. But the claim in this case is not merely the compulsion of testimony that was privileged but otherwise unobjectionable; the jury was allowed-properly, as the law then stood in this circuit--to consider evidence which, under the rule later laid down in Grunewald, had a probative value "so neglicible as to be far outweighed by its possible impermissible impact on the jury," 353 U. S. at 420. In any event, use of a witness' claim of Fifth Amendment privilege before the grand jury to impeach him at the trial can constitute a ground for reversing the conviction of the party for whom he testified, and, further, has followed the principle that

"where errors as to one defendant are so substantial and of such nature as to affect a co-defendant with whom he is tried jointly, appellate courts have reversed the convictions of both defendants* * *." United States v. Tomaiolo, 249 F. 2d 683, 690-92, 696 and cases cited (2Cir. 1957). Assuming all this in Sobell's favor, we thus arrive at the crucial issue whether he is entitled to relief under 28 U. S. C. 2255.

That statute permits a federal prisoner to move at any time to vacate or correct his sentence "upon the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is other-wise subject to collateral attack." The second ground is not claimed to be applicable, nor is the third as to the Grunewald point. Since we now know that a different roling was required on the issue later decided in Grunewald, it is argued that Sobell comes under the first ground in that his sentance was "imposed in violation of the laws of the United States." But if we were to read the statute to mean that relief is to be granted in every such case, we would be saying that 2250 extends to any material error in a federal criminal trial -- a result manifestly not intended by the framers, as shown by the review of the legislative history in United States v. Hayman, 342 U. S. 205, 210-219 1952), and a reading that had been repudiated by the Supreme Court. Hill v. United States, 368 U. S. 424 (1962), as it had earlier been by this Court, United States v. Angelet, 255 F. 2d 383 (2 Cir. 1958).4 Moreover, different words are used in the third paragraph of 2255, dealing with the action to be taken on the motion: "If the court finds that the judgement was rendered without jurisdiction, or that the sentence imposed was not authorized by law or otherwise open to collateral attack, or that there has been such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, the court shall vacate and set the judgment aside and shall discharge the prisoner or resentence him or grant him a new trial or correct the sentence as may appear appropriate. There the broad reference of the initial paragraph to "violation of the * * * laws of the United States" seems to have disappeared, at least if we can assume that the phrase "that the sentence imposed was not authorthat the phrase "that the sentence imposed was not authorized by law" in the third paragraph means the same as "that the sentence was in excess of the maximum authorized by law" in the first; and even "a denial or infringement of the constitutional rights of the prisoner" does not call for relief unless it be "such * * * as to render the judgment vulnerable to collateral attack." Juxtaposition of the two paragraphs thus suggests a reading that although any substantial claim of violation of federal "law". see fn. 4. stantial claim of violation of federal "law", seg fn. 4,

supra, will get a federal prisoner into court under 2255 in the sense of giving the court the power and duty to consider his motion, he can stay there and obtain relief only if he shows that the sentencing court was without jurisdiction, that the sentence was beyond the authorized maximum, or that the sentence or judgment is subject to collateral attack, leaving the meaning of this last phrase to be worked out by the courts—with an indication that although constitutional rights stand on a particularly high plane, not every "denial or Anfringement" even of them makes the judgment "vulnerable to collateral attack." But see, taking the view that relief is available under 2255 for any denial of a constitutional right, the dissent of three Justices in Hodges v. United States, 368 U. S. 139, 140 (1961). Under a more literal reading the judgment of conviction, as distinguished from the sentence, can be successfully challenged only for denial or infringement of rights protected by the Constitution atselv.

It may be deemed futile to endeavor to draw much meaning

It may be deemed futile to endeavor to draw much meaning from the rather murky language of 2255 and we turn for halp to the decisions thereunder, we find these telling us that, in determining whether relief under 2255 ought be granted, we should look to the previous practice in habeas corpus with respect to federal prisoners; indeed, the Supreme Court has said that "the legislation was intended simply to provide in the sentencing court a remedy exactly commensurate with that which had previously been available by habeas corpus in the court of the district where the prisoner was confined." Hill v. United States, supra, 368 U. S. at 427. But this also does not get us far; the glass itself is a dark one. See Bator, supra, fn 4, at 465-74, 493-95. Sunal v. Large, 332 U. S. 174 (1947), sheds as much light as anything. Applying the standards limned in that and other opinions of the Supreme Court as best we can, we shall assume arguendo -- in all likelihood too favorably for appellant, and without qualifications which may well be needed in other factual settings,0--that he should have relief under 2255 if he has shown (1) a significant denial of a constitutional right, even though he could have raised the point on appeal and there was no sufficient reason for not doing so, 332 U. S. at 178-79 and fn. 8, 182; see also United States v. Rosenberg, 200 F.2d 666, 671 (2 Cir. 1952), cert. denied, 345 U. S. 965 (1953)! United States v. Allocco, 305 F. 2d 704, 707 fn. 8 (2 Cir. 1962); or (2) an error seriously affecting his trial, even though not of constitutional magnitude, if it was not correctible on appeal or there were "exceptional circumstances" excusing the failure to appeal, 332 U. S. at 180-81, 184; see also Bowen v. Johnston, 306 U.S. 19, 26-28 (1939); Jordan v. United States, 352 U.S. 904 (1956), reversing per curiam 233 F.2d 362, 367-69 (D.C.Cir. 1956); Hill v. United States, supra, 368 U. S. at 428.

Secretary Sections

Sobell does not bring himself within the first category on the Grunewald ground since this is not of constitutional dimensions as to him. On the view of the majority in Grunewald, the reversal was not for denial of a right guaranteed by the Fifth Amendment but because the trial judge had abused his discretion in determining that the probative effect of the evidence outweighed its potentially prejudicial impact. True, the potential prejudice lay in the probability of the jury's drawing an impermissible infer-ence of guilt from the claim of privilege and the issue was thus thought to have "grave constitutional overtones:, 353 U. S. at 423. But the majority's invocation of the Court's "supervisory power over the administration of federal criminal justice in order to rule on the matter," and its citation of Mollabb v. United States, 318 U.S. 332 (1943), show that the Court did not think it was enforcing a constitutional claim. The opinion of the four concurring Justices can be read as saying only that there is no basis for drawing any inference from a claim of the privilege against self-incrimination, and hence that a reference to such a claim can never be relevant to impeach credibility, and thus also as enforcing only a rule of evidence. See Stewart v. United States, U.S. 1, 7, fn. 14 (1961). On the other hand, a general proscription of drawing inferences from a claim of the privilege against self incrimination sounds like constitutional doctrine, and has the same effect as an avowedly constitutional precept that any later reference to a claim under the Fifth Amendment is impermissible because it renders the claim of privilege too hazardous, a view suggested by other language in the concurring opinion and by the citation of Johnson v. United States, 318 U.S. 189. 196-99 (1943). But even if the Supreme Court would now deem Grunewald to be constitutionally grounded, a sufficient answer here juvoid be that any constitutional implications must be limited to the person whose claim of privilege was later used against him. "(T)he privilege is that of the witness himself, and not that of the party on trial."

McAlister v. Henkel, 201 U.S. 90, 91 (1906); see Sachs v. *
Canal Zond, 176 F. 2d 292-96 (5 Cir.), cert. denied, 338
U.S. 838 (1949); 8 Wigmore, Evidence (McNaughton rev. 1961), pp. 414-15; McCormick, Evidence (1954), p. 152. Although perhaps Sobell also may have been entitled to object on the perhaps Sobell also may have been entitled to object on the ground of relevancy, namely, that at least in some instances there may have been no real inconsistency between Wrs. Posenbarg's claim of privilege before the grand Sury and her testimony of innocence at the trial, the overruling of such an objection, even if this should now appear erroneous in the light of Grunewald, would not assume "constitutional" proportions", Sunal v. Large, supra, 332 U.S. at 182. Sobell, therefore, can succeed only by bringing himself within the second category outlined above.

The state of the s

Admittedly there was no procedural obstacle to the raising on appeal of the question here presented. Neither do we find any greater showing of exceptional circumstances justifying the failure to raise the question than in Sunal v. Large, supra. The defendants in the two cases there decided had faced a consistent line of lower court decisions adverse to their position, including a case, Rinko v. United States, in which certiorari had been denied: 325 U.S. 851 (1945), before the conviction of one of them; here there had been a line of adverse decisions by this Court; with certiorari denied. There many of the lower court decisions had rested on a Supreme Court opinion, Falbo v. United States, 320 U.S. 549 (1944), not reading precisely on point but erroneously thought to be decisive by the lower courts, as it later was by three Justices of the Supreme Court, Estep v. United States, 327 U.S. 114, 137-39, 145 (1946); here a similar role was played by Baffel v. United States, 271 U. S. 494 (1926). In fact, Raffel was distinguishable on the ground, whether satisfying or not, that it involved an inference from a defendant's failure to take the stand to challenge certain testimony at a previous trial, rather than from a claim of privilege before a grand jury, and that it "did not focus on the question whether the cross-examination there involved was in fact probative in impeaching the defendant's credibility," 353 U.S. at 420, and Johnson v. United States, supra, afforded indication that Raffel would be rather closely confined. The road to ask the Supreme Court to test the distinction was open; when it was taken in Grunewald, the Court decided for the petitioner, without overruling Raffel as the four concurring Justices were willing to do. As in Sunal v. Large, "The case, therefore, is not one where the law was changed after the time for appeal had expired. Cf. Warring v. Colpoys, 122 F. 2d 642. It is rather a situation where at the time of the convictions the definitive ruling on the question of law had not crystallized." 332 U. S. at 181.

We think it important to emphasize, as did the Supreme Court in Sunal v. Large, the policy considerations underlying what may seem to some a hoary and technical rule--"that the writ of habeas corpus will not be allowed to do service for an appeal." 332 U. S. at 178. The problem, as Mr. Justice Douglas there said, "has radiations far beyond the present cases." 332 U.S. at 181. There is an inevitable attraction in the position that a person convicted of a serious crime should receive a new trial whenever a later decision of the highest court indicates that; with the benefit of hindsight, a different course should have been followed at his trial in any consequential respect. Yet for courts to yield broadly to that attraction not only would cause "litigation in these criminal cases (to) be interminable. 332 U.S. at 183, but, in the sole interest of those already convicted of crime,

would drastically impair the ability of the Government to discharge the duty of protection which it owes to all its citizens. If the point on which Sobell now relies had been raised and sustained on appeal, that would on no account have led to a direction for acquittal. Even under all the elaborate safeguards with which this country properly surrounds those charged with crime, it would have led only to a new trial, in which it seems unlikely that the result as to any of the defendants would have differed. When a claim is raised upon direct appeal as this could have been, and is there sustained, a new trial can be had seasonably, when witnesses are still available and their recollections still fresh. In contrast, collateral attack can come at any time. Yet normally it is quite academic to talk of a new trial ten or fifteen years after the event; in most cases to direct one after such an interval is in practical result to order a release from further punishment, although the defendant does not even contend he is entitled to that relief from the courts. When a defendent who has been trie fairly in accordance with the law as it was understood at the time seeks judicial relief because of new light on a point of law affecting an aspect of his trial, his request When a defendent who has been tried must be balanced against the rightful claims of organized society as reflected in the penal laws. All this is the wisdom behind the doctrine that limits collateral attack on criminal judgment. See Fuld, J., in People V. Howard, --N.Y. 2d --, -N.Y.S. 2d--(1962),

II. THE "IN TIME OF WAR" GROUND.

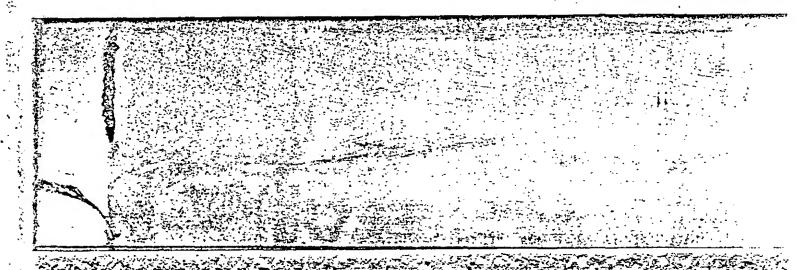
The indictment charged that "On or about June 6, 1944, up to and including June 16, 1950,* * * the defendants herein, did, the United States of America then and there being at war, conspire" to communicate national defense information to the Soviet Union in violation of 50 U.S.C. 32 (a). The overt acts cited, none of which in terms referred to Sobell, were laid between June 6, 1944 and January 14, 1945. Elitcher's testimony would have placed Sobell's entrance into the conspiracy no later than June, 1944. But whereas the evidence as to the disclosure of atomic secrets by the Rosenbergs, in which Sobell was not proved to have participated, related principally to the period prior to the surrender of Japan on September 2, 1945, the greater portion of the evidence against Sobell concerned 1946, 1947 and 1948.

At the trial the defendants did not dispute that if the Government's evidence was believed, they were subject to the punishment of death or thirty years imprisonment which the proviso to 32(a) made applicable to a violation "in time of war." It was hardly conceivable that any such claim

would be made by the Rosenbergs, since the portion of the conspiracy relating to disclosure of atomic secrets, which dwarfed the other charges against them, was largely consummated before the fighting stopped. For Sobell the situation was different; it was possible in theory, however unlikely in fact, that the jury could divide Elitcher's testimony against him and credit only the part relating to later years. But in his case also there was no dispute that if he had committed any offense he had done so "in time of war"; his counsel, in summation, emphasized that Sobell's life was at stake and that "the statute says for this crime that Mr. Elitcher is trying to prove Mr. Sobell guilty of, he can get up to thirty years or death." Under these circumstances it was altogether natural that the judge, who had received no request on the subject, did not include in his charge any reference to the term "in time of war" and told the jury, without objection from anyone, that the case was one in which the penalties of the proviso were applicable. He did, however, submit the indictment to the jury and they found the defendants "cuilty as charged."

Sobell would now find in this a defect entitling him to

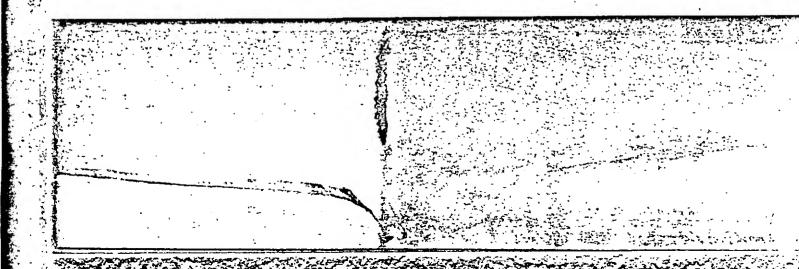
Sobell would now find in this a defect entitling him to have his conviction vacated under 2255 or; in the alternative to have his sentence reduced under F. P. Crim. Proc. 35. The basis of the argument is that whether 32(a) was violated "in time of war" was a matter for determination by the jury as a part of its verdict; we accept this as a premise to the extent of holding that a defendant being tried under 32(a) was entitled, on proper request, to have the jury determine whether any violation of the statute on his part occurred "in time of war" as that term would be defined for the jury by the judge. The next steps in the argument are that the "time of war" ended with the cessation of fighting on August 14, 1945, or with the unconditional surrender of Japan on September 2, 1945, or in any event when the President proclaimed the termination of hostilities on December 31, 1946, 61 Stat. 1048, and that the jury should have been so instructed. Since it was not, and since it might have convicted Sobell on the basis of believing only the portion of Elitcher's testimony relating to acts subsequent to one or the other of those dates, the thirty-year sentence is said to be one "not authorized by law or otherwise open to collateral attack" under 2255 or; in the alternative, "an illegal sentence" under F. R. Crim. Proc. 35, "Exceptional circumetances" are alleged to excuse the failure to raise the point at trial or on appeal, since, it is said, until the decision in Lee v. Madigan; 358 U.S. 228 (1959), it was universally assumed that "time of war" continued until a treaty of peace had been ratified or a peace proclamation issued. At least this seems the most effective statement of the argument. For it would require stronger language than anything in Stilson v. United States,



250 U.S. 583, 587-88 (1919) or Schaefer v. United States, 251 U.S. 466 (1920), relied on by appellant, to convince us that the jury ought to have been allowed to make its own determination of when the war ended, a question of law which, as we shall see, is not readily answered even by judges.

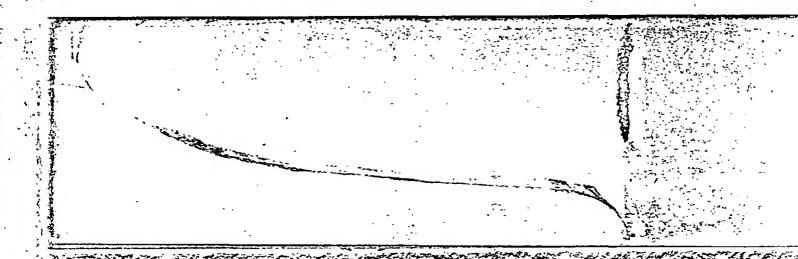
Before proceeding further we must consider a threshold point, not raised by the Government, as to the applicability of 2255 to the "in time of war" ground. In Heflin v. United States, 358 U.S. 415 (1959), a majority of the Justices joined in a concurring opinion, by Mr. Justice Stewart, taking the position that 2255 is available only to a prisoner claiming the "right to be released." Here it could be said that if we should sustain Sobell's contention, the Government, rather than undergo a new trial; might consent to a reduction of the sentence to the twenty years that would have been permissible even if Sobell's violation of 32(a) had been in time of peace, and, if it did, Sobell would have no "right to be released" and 2255 would not be available. We do not read the statute, even in the light of the concurring opinion in Heflin, as calling for that result. Er. Justice Stewart and his colleagues were addressing themselves to a situation where a prisoner in custody under a concededly valid sentence sought to attack a consecutive sentence which had not begun to run. Here Sobell is claiming the "right to be released" from a single sentence which he alleges to be illegal; if his claim were made out and the Government continued to insist on the higher penalty, there would have to be a new trial. The jurisdictional test of the first sentence of the first paragraph of 2255 is thus satisfied, and the final clause of the third paragraph makes clear that the court is not limited to discharging the prisoner but may "resentence him or grant a new trial or correct the sentence." We therefore pass to the merits.

In denying the alternative motion for reduction of sentence under Rule 35, Judge McGohey relied in part upon a theory which, if sound, would cover the motion under 2255 as well. His reasoning was that even if we should assume the earliest possible date for the end of the war, the jury must have found that the over-all conspiracy had begun before then, and Sobell took the conspiracy as he found it, United States v. Sansone, 231 F. 2d 887, 893 (2Cir.), cert. denied. 351 U.S. 987 (1956), and would thus be subject to the higher penalty even if he did not join until after the "time of war" had ended. On Appeal the Government has not sought to support the decision on this ground. A person joining a conspiracy does, indeed, take it as he finds it in many respects, including the important one, to which the Sansone opinion had reference, that acts or declarations of conspirators prior to his entry are admissible against him. But here the question is what Congress meant when it said, 50 U.S. C.(1946 ed.) 34, that "if two or more persons



conspire to violate the provisions of sections 32 or 33 of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy." This language can indeed be read to say that when "the act the accomplishment of which is the object of such conspiracy" was a disclosure of defense information beginning in time of war and continuing into time of peace, the heavier penalty my be visited even on a "party to such conspiracy" who did not join it in wartime. Yet it is difficult to discern what purpose Congress would have thought such a rule would accomplish, and it seems more reasonable to read the section as making the penalty for a substantive offense "in time of war" applicable to conspiring at such a time. Moreover, established principles favor the more lenient construction where ambiguity exists. See, e.g., Bell v. United States, 349 U. S. 81-83-61 (1955).

We likewise connot accept the Government's attempt to cispose of the contention on the basis that "time of war" under 32(a) continued until the Presidential proclamation of the termination of the state of war with Japan on April 28, 1952; 66 Stat. c. 31, which succeeded the joint resolution of Congress and the Presidential proclamation terminating the war with Germany on October 19, 1951, 35 Stat. 451, 66 Stat. c.3. We do follow the Government insofar as we reject Sobell's contention that the "time of war" ended on September 2, 1945, or evan earlier. Lee v. Madigan, supra, did not decide that; it held that June 10, 1949, was within a proviso of Article of War 92, 10 U. S. C. (1946 ed. Supp. IV) 1564, prohibiting a military trial of a soldier for murder or rape committed within the United States "in time of peace." The Court said that terms such as war and peace "must be construed in light of the precise facts of each case and the impact of the particular statute involved," 353 U.S. at 230-31. Nothing suggests it would have reached the same result if the conspiracy to commit murder there at issue had occurred in, say, late September, 1945. We have been cited to and have found nothing to indicate that any authority on international law, either in 1917, when 32(a) was enacted, 40 Stat. 216, or since, would have considered a war to end, for governmental purposes, 7 as soon as the last shot was fired, even when the surrender was unconditional. See Ludecke v. Watkins, 335 U.S. 160, 166-70 (1948). Although a leading treatise has long recognized that "Belligerents may * * * abstain from further acts of war and glide into peaceful relations without expressly making peace through a special treaty," 2 Oppenheim, International Law (2d ed. 1906), 261, at p. 275, "glide" connotes a gradual rather than a sudden stop. A war may end



also by subjugation of the enemy, but an unconditional surrender is not that when the successful belligerent has manifested mo intention to hold the realm of the defeated one permanently under its dominion, id. 264, 265, pp.277-78; see also Phillipson, Termination of War and Treaties of Peach (1916), chs. I and II.a A Congress containing many of the same members who had passed the Espionage Act of 1917 enacted a Joint Resolution terminating World War I on March 3, 1921, and declaring that "any Act of Congress, or any provision of any such Act, that by its terms is in force only during the existence of a state of war * * * shall be construed and adminustered as if such war * * * terminated on the date when this resolution becomes effective * * *." 41 Stat. 1350. On Septembor 1: 1945, Fresident Truman was assured by the Attorney General that the end of actual fighting had terminated no war logislation, 30 Ops. Atty. Gen. 421, 422 (1945); a week later he asked the Congress to refrain from taking action that would end the war until a full study of the problem could be made. Message of September 8, 1945, 91 Jong. Rec. 8380. Congress complied with his request; not until 1947 did it enact a joint resolution repealing certain war time statutes, 61 Stat. 449 (1947). We cite the 1945-1947 experience not as bearing directly on the intent of the Congress of 1917, but rather to illustrate how practicalities work against a construction that would strip government of "wartime" powers instantageously and without opportunity even to consider how far they might be needed in a transitional period partaking of some elements of both war and peace. Of, Woods v. Cloyd W. Miller Co., 333 U. S. 133 148-43 (1948). The considerations that motivated the 1917 Congress to authorize the more severe penalties for espionage "in time of war" would not be dissipated the very moment when shooting stopped, even after unconditional surrender-with vast citizen armies, navies and air forces still in the field, allied military missions having access to Ararican defense installations in the United States and abroad, and the danger of flare-ups in the defeated countries that might require military action for their suppression.

On the other hand, we cannot believe the Corpress of

On the other hand, we cannot believe the Corpress of 1917 would have thought the statute it was enacting would have the result that the death penalty for disclosing defense information to a foreign power in time of war" should apply not only to disclosures during the less than four years of actual shooting between December 7, 1941 and September 2, 1945, but for six and a half years more, during which our wartime enemies had become our friends. In determining what statute means when it speaks of war or peace, the purpose of the particular provision must be analyzed; such is the teaching of Ise v. Madigan. Here the purpose was to place the ultimate discouragemention communicating defense information when the

Section of the second

nation was fighting for its own life, and to exact the ultimate penalty from those who did. Although this purpose would not end on the firing of the last shot or even on the would not end on the firing of the last shot or even on the signing of the surrender, it also would not continue indicated the surrender. The prospect of a prolonged indefinitionally thereafter. The prospect of a prolonged interval after the end of the fighting, which bore all the indicate of peace with the former enemy save for a formal treaty, the signing of which was postponed by disagreement treaty, the signing of which was postponed by disagreement among the victorious allies, was not likely to have occurred among the victorious allies, was not likely to have occurred to the Congress of 1917.4 That Congress lived in a ticier age, where wars had been generally followed by peace treaties signed with reasonable promptness after the end of fighting. Signed with reasonable promptness after the division of the Allies had been known to fall out over the division of the spoils, so that the friend of one day became the foe of the next and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following two mext and vice versas the second Bulkan War, following the first war.

"Iwis certain * * * the situation of peace may be restored by the long suspension of histilities without a treaty of peace being made. History is full of such occurrences. What period of suspension of war is necessary to justify the presumption of the restoration of peace has never yet been settled, and must in every case be determined with reference to collateral facts and circumstances."9

See also Phillipson: supra. ch. I.

We find it unaccessary to make such a determination here more precisely than to say that, for the purposes of 32(a), the "war" had ended before the sammer and fall of 1943; to which some of Elitcher's testimony against Sobell related, 10 True. American troops were still on foreign related, 10 True. American troops were still on foreign soil, but they were there for the same reasons that kept them there after April 28, 1952, when, as the Government them there after April 28, 1952, when, as the Government concedes, the war with Germany and Japan had terminated. We add for clarity, as must be obvious, that nothing in the Constitution forbade Congress' making the heavier penalties Constitution forbade Congress' making the heavier penalties applicable even to espionage carried on in passatime, as applicable even to espionage carried on the passatime.

San Strain Strain Strain Strain

appropriate under the war power, that stretches into times of peace. The only question we have sought to answer is of peace. The only question by the phrase "in time of war." It solly we that Sobell could properly have asked that

It follows that Sobell could properly have asked that the Jury determine whethers if he had joined a conspiracy, he had done this in 1944-45 or only at some later data when, he had done this in 1944-45 or only at some later data when, he had done this in 1944-45 or only at some later data when, he had done this in 1944-45 or only at some later data when, he had done this in 1944-45 or only at some later was suggested; purposes of 3%a). But nothing of the sort was suggested; purposes of 3%a). But nothing of the sort was suggested; purposes of 3%a). But nothing of the sort was suggested; purposes of 3%a). But nothing of the jury found him quilty, as it provise applied to Smell if the jury found him quilty, as it unquestionably did to the Posenbergs. Whether this was unquestionably did to the Posenbergs. Whether this was unquestionably did to the Posenbergs. Whether this was unquestionably did to the posenbergs would draw a line he though it would be setting and considered it a preferable through Elitchar's restimony and considered it a preferable through Elitchar's restim

would not attract a death sentence, we do not know.

Applying 2235 as interpreted in our discussion of

Applying 2235 as interpreted in our discussion of

Applying 2235 as interpreted in our discussion of

the Grunewald ground. Schell again fails to make out a case

the Grunewald ground. The lack of any instruction to the

for relief theirunder. The lack of any instruction to the

for relief theirunder. The lack of any instruction to the

jury to make a special finding relative to the penalty, that

jury to make a special finding relative to the penalty, that

is at true that the jury trial guaranteed in the Sixth

right. It is truethat the jury trial guaranteed in the Sixth

right. It is truethat the jury trial guaranteed in the simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh; is a trial not simply by

Amendment, like that in the Seventh

 Kenion V. Gill, 155 F. 2d 176 (D.C. Cir. 1946); United States v. Jonikas, 197 F. 2d 675 (7 Cir.), cert. Denied, 344 U.S. 877 (1952). Neither is this a case where there was no evidence that would warrant imposition of the higher penalty under the statute as we now construe it, a situation that might give rise to a due process claim of a different that might give rise that might give rise that

There is likewise no basis for concluding that although the failure under these circumstances to obtain from the jury a special finding of the date when Sobell joined the conspiracy was not of constitutional magnitudes he may nevertheless because this conjugate office and him have relief under 2255 because this seriously affected his trial and "exceptional circumstances" excuse his failure to raise the point either at trial or an appeal. We gravely coubt that the first branch of the argument is made out; it seems quite unlikely that the jury would have accepted only the part of Elitcher's testimony relating to later years.
In any event the second is not. The contention is that until the 1959 decision in Lee v. Madigan, supra, it was settled law that "war" continued for all purposes until the ratification of a treaty of peace or official action by the President (or by Congress and the President) declaring its complete termination; hence, it is urged, appellant could not reasonably have been expected to raise the point before then, and thereby brings himself within what are asserted to be the implications of Supellant Could be a second to be the implications of Supellant Could be a second to be the implications of Supellant Could be a second to be the implications of Supellant Could be a second to be the implications of Supellant Could be a second to b implications of Sunal v. Large, supra, 332 U.S. at 181, see fn. 6 Supra. It would seem a sufficient answer that neither the petitioner in Lee v. Madigan nor the six Justices who joined in that decision thought the law had been thus who joined in that decision thought the law had been thus firmly settled. But there is more. We have already cited firmly settled. But there is more. We have already cited expressions, antedating Sobell's trial by many years, to the effect that "war" might terminate by a long cessation of hostilities. See also Note, Judicial Determination of the End of the War, 47 Colum. L. Rev. 255, 256 and fns. 4 and 5 (1947). In the very year of Sobell's trial an eminent authority on international law, noting that no treaty of peace with Germany or Japan had yet been signed, wrote that "For some purposes, therefore, it may be said that the state For some purposes, therefore, it may be said that the state of war with Germany and Japan continued; yet in view of the political developments, this view smacks of such unreality that no dogmatic statement can be made as to some of its possible consequences." Hudson, Cases on International Law (3d ed. 1951), page 618. The Supreme Court itself had indicated in 1948 that it might some day be required to determine whether it could "find that a war though merely formally kept alive had in fact ended," although characterizing this as "a question too fraught with gravity even to be adequately furmulated when not compelled." Ludecke v. Watkins, supra, 335 U.S. at 169. A new counsel for Schell seems to have been aware of the point when he argued for a reduction of

sentence in 1953, although Lee v. Madioan was still six years away. As with the Grunewald ground, the situation was that "at the time of the conviction the definitive ruling on the question of law had not crystallized," Sunal v. Large, the question of law had not crystallized, Sunal v. Large, and U.S. at 181--not that an alleged rule whereby only formal action could bring "war" to an end for any purpose had become action could bring "war" to an end for any purpose had become so hardened that it would have seemed hopeless to question it.

The foregoing is largely determinative of Schellis

The foregoing is largely determinative of Schell.

alternative motion for reduction of sentence under F. R. Crim.

Proc. 35. The interpretation of that rule and its interrelation

Proc. 35. The interpretation of that rule and its interrelation

with the later-enacted 2255, particularly the portions of

what section speaking of a "sentence "not authorized by

maximum authorized by law" and a sentence "not authorized by

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or otherwise open to collateral attack", have recently

law or

The indictment charged, as we have said, that the about June 6, 1944, up to and including June 16, 1950 * * * the United States of America then and there being at war", Sobell and others conspired to violate 32(a), and the jury Sobell and others conspired to violate 32(a), and the evidence found him "guilty as chalged." The indictment and the evidence were such that, on proper proceedings, sentence under the proviso might lawfully have been imposed. Sobell's complaints proviso might lawfully have been imposed. Sobell's complaints proviso might lawfully have been imposed. But the former definition of "war", and that, for want of an instruction definition of "war", and that, for want of an instruction never sought, we cannot tell whether the jury believed he never sought, we cannot tell whether the jury believed he never sought, we cannot tell whether the jury believed he never sought, we cannot tell whether the jury believed he never sought, to cannot tell whether the jury believed he never sought, the cannot tell whether the jury believed he never sought, to cannot tell whether the jury believed he never sought, the subject for a request for an instruction under Rule 30. That subject for a request for an instruction under Rule 30. The sentence is thus not "illegal on its face"; the asserted defect consists of alleged "errors occurring at the trial or defect consists of alleged "errors occurring at the trial or other proceedings prior to the imposition of sentence." Other proceedings prior to the imposition of sentence. These lie beyond the ambit of Rule 35, Cook v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United States, 279 F. 2d 872 (6 Cir.), cert. (1949); Stegall v. United

to reduce Cobell's centence, to place the Government in the came position as if the issue had been submitted to the jury and found in his favol.

Affirmed.

Footnotes:

- Section 32(a) of Title 50 was recodified in 1948 as 794(a) and (b) of Title 18, 62 Stat. 737. In 1954 the distinction with respect to the penalty in time of war was abolished; violation at any time was made punishable "by death or by imprisonment for any term of years or for life." 68 Stat. 1219.
- See United States v. Posenberg, 108 F. Supp. 798 (S.D.N.Y.) affid 200 F. 2d 666 (2Cir. 1952), cert. denied, 345 U.S. 965 (1953); United States v. Sobell, unreported in the District Court and here, No. 22865, cert. denied, 347 U.S. 904 (1954; United States v. Sobell (two motions), 142 F. Supp. 515 (S.D.N.Y.1956), affid 244 F. 2d 520 (2 Cir.), cert. denied, 355 U.S. 873 (1947). See also note 3, infra.
- The Grunewald ground was the basis for a motion in the Supreme Court, in 1957, to vacate the Court's 1952 denial of certiorari and for leave to file a new petition for certiorari raising the point decided by the Court in Grunewald v. United States, 358 U.S. 391, 415-24, 425-26 (1957); this was denied, 355 U.S. 860 (1957). Appellant contends, and we agree that no weight should be given to this, both because of central expressions as to the lack of significance in the denial of certiorari, e.g., House v. Mayo, 324 U.S. 42, 48 (1945), and cases cited, and because of the peculiar likelihood that the denial in this instance may have been for untimeliness.
- The language under discussion stems from the Habeas Corpus Act of 1867, 14 Stat. 385, previding that "the several sourts of the United States * * * within their respective jurisdictions, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases where any person may be restrained of his or her liberty in violation of the constitution, or of any treaty or law of the United States * * *," as carried forward in Rev. Stat. 752 ("is in custody in violation of the Constitution or of a law or treaty of the United States:"). This is now codified in 28 U. S. C. 2241 (b) (3), with "laws", as it is in 2255. It is not entirely clear whether "law" in the Act of 1867

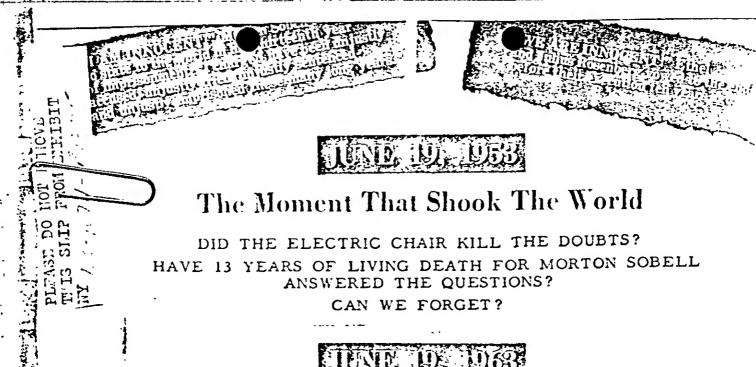
referred to the entire corpus of federal legal rules outside the Constitution and treaties, or only to federal statues. Particularly in view of the adoption of the Act during the reconstruction period and the then received view that "In the ordinary use of language, it will hardly be contended, that the decisions of courts constitute laws," Swift v. Tyson, 16 Pet. 1, 18 (1842), the latter reading would seem more reasonable. For reasons later outlined in the text, we are not here required to decide whether the 1948 enactments preserved this original meaning or embodied the "new way of looking at law," Guaranty Trust Co. v. York, 326 U. S. 99, 101 (1945), taught by Erie R. R. Co. V. tompkins, 304 U.S. 64 (1938). Under either construction there remains the basic question, which exists also as to the reference to the Constitution, whether a prisoner who has had a fair opportunity to try out his claim before a proper tribunal is "in custody in violation of" federal law simply because the earlier tribunal committed what a later one would consider an error in decision. See Hart & Wechsler, The Federal Courts and the rederal System (1953), 1238-39; Bator, Finality in Criminal Law and Federal Nabeas Corpus for State Prisoners, 76 Harv. L. Rev. 441, 447-48, 474-77 1963.

Recognition of the availability of habeas corpus to test alleged illegality in the sentence as distinguished from the conviction long antedates the modern use of the writ with respect to the latter. Ex parte Lange, 18 Wall. (85 U.S.) 163 (1874); Ex parte Wilson, 114 U.S. 417 (1885); In re Snow, 120 U.S. 274 (1887); Ex parte Nielsen, 131 U.S. 176 (1889).

Among such qualifications are questions how far constitutional rights may be waived and what circumstances constitute such a waiver, see Adams v. United States ex rel. W.Cann, 317 U.S. 269, 275-81 (1942); whether even constitutional claims must not be brought in some way to the attention of the trial count or else will be deemed "waived", see Howell v. United States, 172 F. 2d 213, 215 (4 Cir.), cart. denied, 337 U.S. 906 (1949); United States v. Walker, 197 F. 2d 287, 288 (2 Cir.), cert. denied, 344 U.S. 877 (1952); whether alleged errors in the determination of facts affecting conceded constitutional rights stand on the same footing as an alleged refusal to recognize the rights or failure to make them effective when the facts were undisputed from the outset or are no longer in controversy, and whether the alleged deprivation must be shown to have had a material effect, see Kyle v. United States, 297 F.2d 507, 511-15(2 Cir. 1961). Qualification may also be needed

9 Dip. Cor. 1868, II, 32, 34, Moore, Dig. VII, 366, cited in 2 Hyde, International Law (1922), pages 820-821, fn. 2.

- In the light of the purpose of the proviso to 32(a), a good date might be the President's proclamation of the end of hostilities on December 31, 1946, 51 Stat. 1048, even though the proclamation asserted that "a state of war still exists," as may well have been true for other purposes. Fleming v. Mohawk Wrecking & Lumber Co., 332 U.S. 111, 116 (1947); Woods v. Cloyd W. Miller Co., supra, 333 U.S. at 141-43; Ludecke v. Watkins, supra, 335 U.S. at 166-70; cf. Hamilton v. Kentucky Distilleries and Warehouse Co., 251 U.S. 146, 164-68 (1919).
- Many World War 1 statutes contained definitions of their duration. See Hamilton v. Kentucky Distilleries and Warehouse Co.; supra. 251 U. S. at 165-166 fn. 12. The omission of any such provision from 32 (a) was presumably due to its having been intended as permanent legislation.



THE PARTY OF

CARNEGIE HALL MEETING

8 p. m.

Hear DR. HAROLD C. UREY, Nobel Prize atomic scientist

See Film "MORTON SOBELL - A PLEA FOR JUSTICE": and Special Filmed Interview with Bertrand Russell

House to both a late, Fruf. Erwin Goodensach, Ralth Balte in Pricater, Rev. G. Snidert Frye, Rev. John F. Evans, Prot. Dale Pontius, Mrs. Eleanor Jackson Piel, Dean Donal E. J. MacNamara

JUNE 15 2 p. m.

YOUTH APPEAL
Another Generation Acts!
Join the Washington Demonstration
at the White House

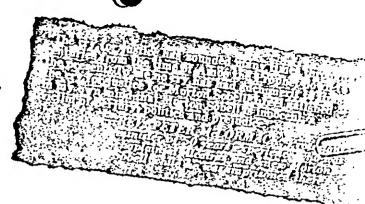
JUNE 16 1 p.m. MEMORIAL TRIBUTE llwood Cemetary, Pinelawn, L

Wellwood Cemetary, Pinelawn, L.I. on the Tenth Anniversary of the Rosenberg Execution

Tickets for CARNEGIE HALL at \$1 each, and information on gatherings at Cemetary and in Washington, from the SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y., AL 4-9983







Among those who have urged Sobell's release on many grounds are:

Rev. Gross W. Alexander David Andrews
Roger Baldwin
Rabbi J. S. Bass
Carleton Beals
Helen M. Beardstey
Dr. John C. Bennett Leo Berman Rabbi Samuel Bernstein Robert Bolt Rabbi Balfour Brickner Dr. Martin Buber Or. Edmond Cahn Pablo Casals Lord Chorley Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Elizabeth, Queen Mother of Belgium Or. Thomas I. Emerson Rev. John E. Evans James T. Farrell Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Maxwell belsmar Rabbi Robert E Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Rev. Donald Harrington Dr. A. Eustace Haydon Nat Hentoff Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Hurwitz Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr., William Kunstler
Morris Laub
Dr. Paul L. Lehmann
Rabbi Arthur J. Lelyveld Doris Lessing Donal E. J. MacNamara Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe

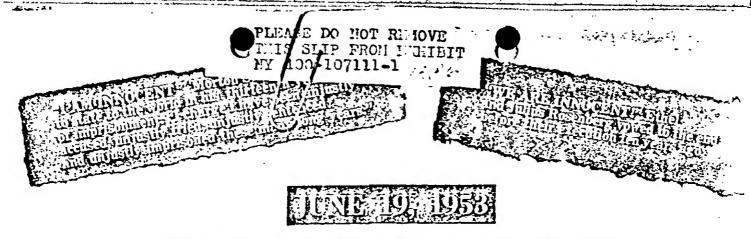
Rev. Peter McCormack Sen. Lee Metcalf Dr. Uri Miller Gerhard O. W. Mueller Lewis Mumford Dr. Gardner Murphy Jerome Nathanson Dr. Reinhold Niebuhr Lord Boyd Orr Prof. Victor Paschkis
Dr. Linus Pauling
Dr. Dryden Linsley Phelps
Clarence E. Pickett Prof. Dale Pontius Dr. Luis Sanchez Ponton Rabbi Emanuel Rackman Howard B. Radest Paul Ramsey Prof. Anatol Rapaport Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Jean-Paul Sartre Prof. Malcolm Sharp Br. D. R. Sharpe Alan Sillitoe Alan Sillitoe
Sydney Silverman, M.P.
Harvey Swados
Norman Thomas
Rev. Francis S. Tucker
Kenneth Tynan
Dr. Harold C. Urey
Mrs. Clara M. Vincent
Revended Watte Rowland Watts Rabbi Jacob J. Weinstein Arnold Wesker Dr. Daniel Day Williams
Prof. Francis D. Wormuth
Belgian League for Rights for Man
Christian Century The Nation Magazine The New Republic
The New York Post The Progressive Social Action Commission of the Union of American Hebrew Congregations Thirty Members of Parliament, Britain Women's International League for Peace and Freedom 1500 American Clergymen



Lander Brown of the State of th

pyg





The Moment That Shook The World

DID THE ELECTRIC CHAIR KILL THE DOUBTS?

HAVE 13 YEARS OF LIVING DEATH FOR MORTON SOBELL

ANSWERED THE QUESTIONS?

CAN WE FORGET?



CARNEGIE HALL MEETING

8 p.m.

Hear DR. HAROLD C. UREY, Nobel Prize atomic scientist

See Film "MORTON SOBELL - A PLEA FOR JUSTICE": and Special Filmed Interview with Bertrand Russell

Honored Guests include: Prof. Erwin Goodenough; Rabbi Balfour Brickner; Rev. G. Shubert Frye; Rev. John E. Evans; Prof. Dale Pontius; Mrs. Eleanor Jackson Piel; Dean Donal E. J. MacNamara

JUNE 15 2 p.m.

YOUTH APPEAL

Another Generation Acts!

Join the Washington Demonstration
at the White House

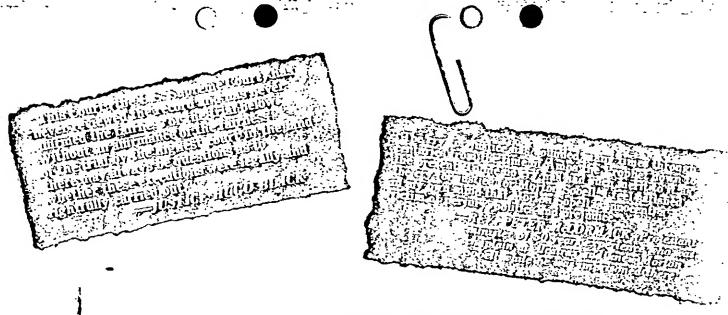
JUNE 16

MEMORIAL TRIBUTE

Wellwood Cemetary, Pinelawn, L. I. on the Tenth Anniversary of the Rosenberg Execution

Tickets for CARNEGIE HALL at \$1 each, and information on gatherings at Cometary and in Washington, from the SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y., AL 4-9983





ě

À,

THE PROPERTY OF THE PARTY.

あいとうかいころうかいからときなる

Among those who have urged Sobell's release on many grounds are:

Rev. Gross W. Alexander David Andrews Roger Baldwin Rabbi J. S. Bass Carleton Beals Helen M. Beardsley Dr. John C. Bennett Leo Berman Rabbi Samuel Bernstein Robert Bolt Rabbi Balfour Brickner Dr. Martin Buber Dr. Edmend Cahn Pablo Casals Lord Chorley Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Elizabeth, Queen Mother of Belgium Dr. Thomas I. Emerson Rev. John E. Evans James T. Farrell Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Maido Frank
Waldo Frank
Rev. G. Shubert Frye
Rev. Erwin A. Gaede
Maxwell Geismar
Rabbi Robert E. Goldburg
Rabbi Israel Goldstein
Prot. Erwin R. Goodenough Rev. Donald Harrington Dr. A. Eustace Haydon Nat Hentoff Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Hurwitz Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr., William Kunstler Morris Laub Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld Doris Lessing Donal E. J. MacNamara Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe

Rev. Peter McCormack Sen. Lee Metcalf Dr. Uri Miller Gerhard O. W. Mueller Lewis Mumford Dr. Gardner Murphy Jerome Nathanson Dr. Reinhold Niebuhr Lord Boyd Orr Prof. Victor Paschkis Dr. Linus Pauling Dr. Dryden Linsley Phelps Clarence E. Pickett Prof. Dale Pontius Dr. Luis Sanchez Ponton Rabbi Emanuel Rackman Howard B. Radest Paul Ramsey Prof. Anatol Rapaport Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Loan Paul Sartes Jean-Paul Sartre Prof. Malcolm Sharp Dr. D. R. Sharpe
Atan Sillitoe
Sydney Silverman, M.P.
Harvey Swados
Norman Thomas Rev. Francis S. Tucker Kenneth Tynan Dr. Harold C. Urey Mrs. Clara M. Vincent Rowland Watts Rabbi Jacob J. Weinstein Arnold Wesker Or. Daniel Day Williams
Prof. Francis D. Wormuth
Belgiam League for Rights for Man Christian Century The Nation Magazine The New Republic
The New York Post The Progressive Social Action Commission of the Union of American Hebrew Congregations Thirty Members of Parliament, Britain Women's International League for Peace and Freedom 1500 American Clergymen



OT RIMOVE

Committee To Secure Justice Morion Schell

940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

Algonquin 4-9983

Mrs. Morton Sobell Mrs. Rose Sobell Chairmen

HONORARY SPONSORS (partial listing) Rev. Gross W. Alexander David Andrews Rabbi J. S. Bass Helen M. Beardsley Leo Berman Rabbi Samuel Bernstein Harold A. Crancfield Lloyd Donnell Prof. Kermit Eby Rev. John E. Evans Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geisman Rabbi Robert E. Goldburg Prof. Erwin R. Goodenough Rabbi Avery Grossfield Dr. A. Eustace Haydon Russell Johnson Rev. John Paul Jones Rev. Joseph P. King Dr. Paul L. Lehmann Dr. Milion Lester Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe Rev. Peter McCormack Dr. Gardner Murphy Rev. Dryden Linsley Phelps Prof. Dale Pontius Howard B. Rades: Prof. Anatol Rapaport Prof. Oscar K. Rice Lord Bertrand Russell Prof. Malcolm Sharp Dr. D. R. Sharpe Sidney Silverman, M.P. Rev. Francis S. Tucker Dr. Harold C. Urey Mrs. Clara M. Vincent Rabbi Jacob J. Weinstein Prof. Francis D. Wormuth

Dear Friend:

June 19, 1963 is the 10th Anniversary of the execution of Ethel and Julius Rosenberg. The electric chair did not kill the doubts. The thirteen years of living death for Morton Sobell have not resolved the questions. The cry of innocence of these three echces throughout the world.

We ask that you pay tribute to the courage of Ethel and Julius Rosenberg and Morton Sobell by making it possible to continue the efforts in this case. History will bring vindication as it has already begun to do. The courts have now held that under today's interpretation of the law a new trial would have been granted.

The senseless, cruel punishment of Morton Sobell continues despite his innocence and the feebleness of the perjured testimony against him. If Morton Sobell has been willing to lie about the Rosenbergs or about his own innocence, he would never have been subjected to such brutal treatment.

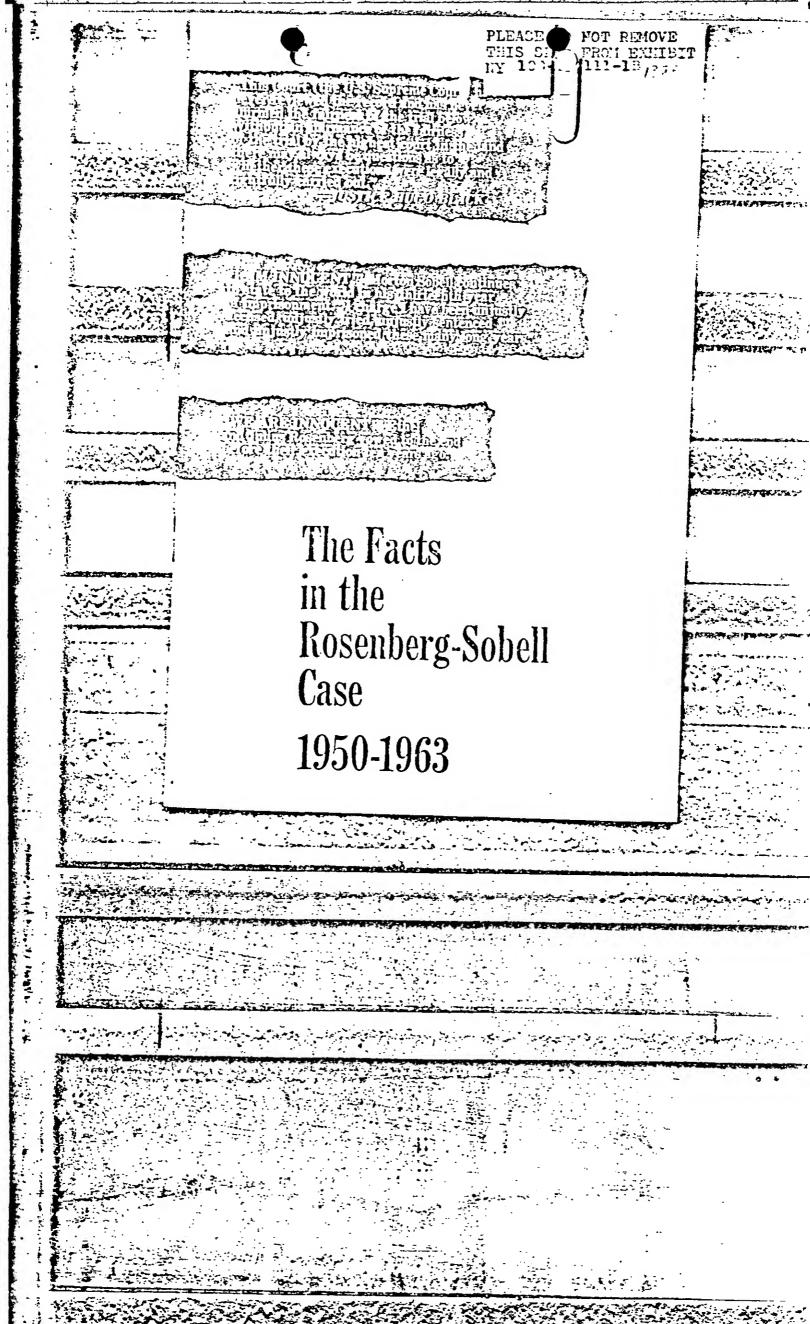
Through Alcetraz, Atlanta, long years of suffering, Morton has fought for truth and justice. Can we do less? In this 10th Anniversary Year we ask you for your heartfelt and generous contribution of action and money. The enclosed envelope is for your check. Please send it now. We need your help.

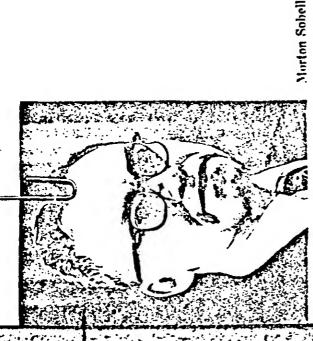
Very sincerely yours,

Helen L. Sobell

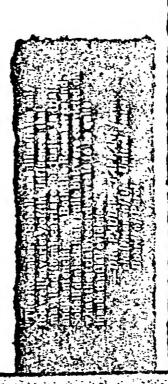
(Mrs. Morton Sobell)

For the Committee





manufact of the state of the Walter



thereases as wealt it the era of McCarthylem. It was

expected a hand in 1949, "they stale it from us" was "to barace Vigera an inopopoly for years to come. When Russia we view of y Our ration had been assured the alomic bomb would remain four and suspection.

lat Time Magazine commented on Jan. 2, 1950; national response and a search for spies was on,

South in their ples, Until this week the Rossian peperal me e execut, a secretary chasing and pointless continues of executions ven Jamen to time, If the facts they contain had been groped U.S. darted its atom tomb project . . . The back before where Bursan spies meded to alcal, This fact has been give and apply by the Momie Energy Commission the see the seek with a discussion of the seek "For the last decade, there has been no atom-h consists popular on the project, published in 193 Tarapatra British

to perceive for Russia having the bomb, His wife was accessed land the arrest of Julius Rosenherg as the latom spevert whice later, In August, Morton Scholl was auched was ned connected with the atomic project. The Ross . . . till assetting it was explopage, Headlines in atom eps beven though the trial judge was later to as was listed as a defendant. The only "overt neis" chied and the canon of Russia's A-bomb was said to be accusing arthess while the question of a trial for id-Soled exert their innovence. Sobell was presented It was only when he still insisted on his innecessor conversations are no not be mentioned at the test corrersations which he allegedly had with Julius during the time of the Korean fighting, in a Sci

大学 一年 の日のの りゅう

The Rosenbergs were a New York-born couple. Julius Rosenberg had been an engineer and at the time of his arrest had his own machine shop. The couple had two sons.

Morton Sobell, who grew up in the Bronx, was a radar specialist and an evening instructor at Browskyn Polytechnical Institute. He and an evening instructor at Browskyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his was employed at the Reeves Instrument Sommany at the time of his arrest. He and his wife, Holen, have a son, Mark, now 14, and by arrest. He and his wife, Ilelen, have a son, Mark, now 14, and by

Mrs. Sobell's previous marriage, a daughter, Sydney.
Morton Sobell and Julius Bosemberg had known each other at the

City College of New York.

II GROSI ECOLORIE

A key prosecutor, along with Irving Saypol and Myles Lane, was Roy Cohn, later to become Senator McCarthy's chief assistant. Cohn was discredited in the Army-McTarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.

Note: The Court of

The kap between the headline, and the facts was wide. Neither The kap between the headline, charged with espionage or treason, the Rosenbergs nor Sobell were charged with espionage. The difference: The charge was "conspiracy to commit" espionage. The difference: under the loose conspiracy charge, no proof of any actual acts of under the loose conspiracy charge is traditionally resorted espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

Sale delineration of the sale of the sale

In opposition to the defendant- plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimony of government witnesses who shod to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, did not claim to have stolen any documents or photographed any papers, He told a tale of having cavesdropped on scientists and from

their conversation drawing diagrams piving atomic secrets. On cross-examination he admitted having failed his science courses at Brooklyn Polytech. Dr. Harold C. Urcy, Nobel prize atomic scientist who studied the record subsequently made found "patently perjured" prosecution testimony, asserted: "Though the information supposed secution testimony, asserted: "Though the information supposed to have been transmitted could have been important, a man of Green-chemistry and mathematics of the atomic bomb to anyone," Green-chemistry and mathematics of the atomic bomb to anyone," Green-glass was sentemed to 15 years imprisonment but is now free after having been released at the end of 1960.

...

Of Greenglass's testimony, the U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."

では、日本のでは、このはは、

Only one witness, Max Elitcher, accused Sobell of any involvement.
Only one witness, Max Elitcher, accused that he was "scared Elitcher, admitting previous perjury, testified that he was "scared to death." The judge told the jury: "If you do not believe the testito death." The judge told the jury: "If you do not believe the testion only of Max Elitcher as it pertains to Sobell, then you must acquire many of Max Elitcher as it pertains to Sobell, then you must acquire the defendant Sobell."

Elitcher did not claim Sobell ever passed or received any serrel material. He told the jury that Sobell, atthough he supposedly thought the FB1 was following him, took a 55mm film can reontent never specified to Julius Rosenberg. Elitcher did not claim he sat sobell give anything to Rosenberg. Elitcher has never been prosecuted for his confessed perjury, but has been helped to find employment, as a reward for his testimony.

Scholl's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the wilness stand, Sobell, wanting to take the stand, rejuctantly howed to their legal opinion.

Other factories with the factories

Scholl, But Gold, already under a 30 years sentence, described himself as the man to whom Greenflass knyo the atomic data he said self as the man to whom Greenflass knyo the atomic data he said he obtained by cayesdropping on scientists. In a later trial, a man he obtained by cayesdropping on scientists. In a later trial, a man he obtained by cayesdropping of scientists, in a later trial, a man he obtained by cayesdropping of scientists. In a later trial, a man he obtained by cayesdropping of lies "it is a wonder that steam sion of having lived such a life of lies "it is a wonder that steam didn't come out of my cays," Gold is still in prison.

Efizabeth Bentley, who had become a frequent witness at the trials and Congressional hearings of the day, didn't claim to know the and Congressional hearings of the day, didn't claim to know the Rosenhergs or Soboll but added color with testimony on espionage methods, She was subsequently discredited in other procreeding, i or methods, She was subsequently discredited in other procreedings, i or methods, she once accused a man of having supplied the Rossians example, the once accused a man of having supplied the Rossians example, the once accused a man of having supplied the Rossians example, the once accused a man of having supplied the Rossians example, and conversion about produttle' raid on Tokyo which

the raid, Former U.S. Congressman Byron Scott of California was gleaned while the accused was in the Air Corps. But it was proven that the man wasn't in the Air Corps until months after charged before a Congressional committee that 37 discrepancies had been found in Blizabeth Bentley's testimony in that case.





Sthel Rosenberg

こうしてものできるとうというとうないというないというないできるからいっちゃん

The verdict was "guilty." Dr. Harold C. Urey has said:

ysteria during the Korean War when peaple were very much for any member of this jury to have gone home after voting for "This jury was hearing this trial in the midst of the McCarth unset about these things and it would seem to me very difficul acquittal and yetained his jeb or his position in his community.

caused, in my opinion, the Communist aggression in Korea, with the ions more of innocent people may pay the price of your treason. Judge Irving Kaufman, expressing the hysteria of the time, inresultant casualties exceeding 50.000 and who knows but that milndeed, by your betrayal you undoubtedly have altered the course of ting into the hunds of the Russians the A-bomb years before our best and against the Rosenbergs: ". . . I believe your conduct in put scientists predicted Russia would perfect the bomb has alread history to the disadvantage of our country."

He condemned them to death. Nobody had ever been executed for espionnge in the United States during peacetime. No woman had been executed by the federal government since 1865,

"The evidence in the case did not point to any activity on your part in connection will the atomic bomb project." To Morton Sobell the judge said:

He condemned Sobell to the years, and recommended against

parole.

Since the trial the following new evidence has been presented in

- · Memoranda of David Greenglass's lawyers revealing that Greenwas an habitual liar who had fits of hysteria and ran mude through hallways shouting incoherencies; and memoranda indicating that a glass, according to documents in his own handwriting, told conlicting stories; that Greenglass's wife confided that her instand deal was made with the prosecution to lighten Greenglas's punish ment in exchange for his testimony.
 - nexpensive table beauth in Macy's as they had restified. The preseention had claimed the table, not produced in court, was an expensive Proof that a console table the Rosenbergs owned was an ordinary. giff from the Russians hollowed out for secret microfilm work.
 - · Proof that the prosecution brought a passport photographer to court secretly to observe the Rosenhergs, Later, on the stand, he claimed be was identifying them upon seeing them for the first time ill count.
- · Proof that Morton Sobell was kidnapped from Mexico at the instigation of the prosecution, and that at the trial the prosecution claimed fraudulently that the Mexican government had deported live. The new evidence showed that the Mexican povernment not only Sobell, thus giving the court the impression that Sobell was a figidid not deport Sobell, but fook action to see that its law a were violated by an international kidnapping.
 - he lived openly in Mexico ('ity under his own name where he could manner with proper tourist cards and air tickets, and in their own name. Sobell, as a scientist and teacher with left-wing views, has while in Mexico on vacation he thought of living abread. He made · Proof that Sobell and his family went to Mexico in a normal admitted that hysteria in the United States frightened him, and inquiries under other names for passage to Prance and Israel, But be reached readily, and not as a fugitive.

IEARING IN COURT. Each time, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN avoid a heaving on the merits.

Defenders of the Rosenberg-Soliell verdiet often claim that the has never reviewed this record and has never affirmed the fairness to review a case in no way judges its merits. Further, appeals are Supreme Court has reviewed the case many times and found nothing wrong. The fact is, as Justice Black has stated "This Court of the trial below." The Supreme Court has emphasized that refusal limited to legal points, not the question of innocence or guilt or which

One judge of the U.S. Court of Appeals, the late Jerouge Frang,

witness was folling the truth.

Sobell's case should have been considered separately from that of the voted for a new Sobell trial in a dissenting opinion halding that Rosenbergs.

Appeals used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said that if the defense had raised the question sooner, a mistrial should "Wholly reprehensible" was the expression the U.S. Court of

had pleaded the 5th Amendment to the same questions previously ness. The prosecution repeatedly implied to the jury that Ethel Rosenberg's answers at the trial could not be believed because she Recent court decisions have emphasized other prosecution unfairhave been declared.

before a Grand Jury. Supreme Court rulings in other cases since the On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that execution have branded such tactics as unfair and illegal.

the court said it is too late for Sobell to raise the point. Legally under today's interpretation of the law the trial of Ethel and Julius Rosenberg and Morton Sobell would have been considered unfair. But speaking, the Appeals Court said, it would not be too late for Ethel Rosenberg, if she were alive, to raise the point.

THE PROPERTY OF

thousands marching before the White House, and pleas pouring in paralleled only by such cases as the Mooney-Billings and Sarcofrom throughout the world. Pope Pius XII, the President of France. The furor that the Rosenberr-Sobell trial unleashed has been Vanzetti cases in the United States and the Dreyfus case abroad. there were public meetings and demonstrations, debates in the press. and Albert Binstein were amony those who intervened for elemency.

Julius and Ribel Resemberg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death later, on June 19, 1953, with the execution moved ahead until just before sundown to avoid having it occur on the Jewish Salibath, back into unprecedented session to overrule Justice Douglas 6-3 while the executioner stood by in Sing Sing prison, A few hours A legal battle raged until the fast moment, Justice Douglas granfed a stay of execution, braving later moves for his impeachment. The Supreme Court had adjourned for the summer, but it was called chamber with the offer to spare them if they would admit guill.

After the death of the Rosenwergs he was approached again to Morton Sabell received the news in Aleutraz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, 1952, after he refused to adour Ruik and accuse the Rosenbergs. a change Scholl such five and a half years in Alcatraz.

through a telephone when she visted him. Widespread public protests against this treatment as being vindictive resulted in his where his wife could only see him through a pane of glass and talk transfer to Atlantic Prideral Penifentiary, where he is now held.

The state of the s



Sobell is innocent, and even by those who accept Sobell's guilt but regard the 30-year sentence as excessive and believe he should now partial listing on page 10.) There are appeals by those who question Solicil innocent, by those who say the Rosenbergs were guilty but includes eminent persons of many viewpoints the world over 1.460 the fairness of the trial, by those who believe the Rosenberrs and The list of those urging Sobell's release has grown each year. It he released.

A special independent study was made by a noted group including Reinhold, Nichular of the Union Theological Seminary. The paner of inquiry called the case against Sobell "vague in content and Edmond Cahn, professor of law at New York University, and the slender in proof" and recommended a commutation of sentence.

रिक्रिय के प्रतिकृति हैं कि कि कि मिलि

Before his election as President, then Senator John F. Kenny dy about favorable action. A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to the study were the same holdovers in the department who previously had the responsibility of defending the vordict and the execution had his aides meet with persons appealing for Sobell and gave every impression of planning action in his behalf. After the election, Presidential spokesmen in the White House were still optimistic المقلا معاكسليل اللدكارم وصا كعمومه والدائري العماكات فروا ولابه of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.

tentier from the

for him, Rabbi Balfour Brickney, director of the Joint Commission Morton Schell is officially eligible for parole, He has a job war ing on Interficitly Activities of the Union of American 16 brow Currers The second to the second

Commission of the old the late of

fations and the Central Conf. . . . of American Rubbis, has agreed to serve as his purely advised subsiders, wife, his mother, and his children have stood by him, were as for his freedom, and the family has maintained as close a relation of possible through prison visits and correspondence.

Donal E. J. MacNamara, Dean, tthe New York Institute of Criminology, describes Soliell as 12. pleal candidate for parole under every accepted criterion. Notae. treem throughout the country testified in Washington in behalf | t Soliell at a parole hearing and recommended that he be allead to return to society and make his contributions as a scientist.

Parole has been denied, No re., as have been cited.



The Rosenberg-Sobell cases a statements by authorities that decade. There have been county a statements by authorities that Russian scientific capacities were coefully underestimated and Soviet development did not come free espionage. Yet two persons are buried in a grave on Lang 1-lant on the accusation that they gave Russia the atomic bomb.

Newspaper columnist Jack Secretars commented in the Vaucouver Sun: "Sobell, himself, has sectioned to protest his innocence, although a confession, whether the or false, would lighten his staggering sentence." I happened to be reading a booklet on the witcheraft trials in Salem, Mass, when I came across the Sobell file. One paragraph tells of 13 were a and six men hanged as witches and concludes, 'Fifty persons a case and were freed.' The comparison with the Rosenberg-Seconcase is unavoidable."

Professor Francis D. Wormer, of the University of Utah, authority on Constitutional law, e.g., deell "the man in the iron mask of American jurisprudence" becase of fear in Washington of opening the Pandora's box of the Rossers-sobell case,

A committee of eminent Andream is seeking to form an independent Commission of Ingression would investigate the entire case from top to bottom and restern verdict in the light of present perspective.

Meanwhile, there is a continuous urgent effort to free Morton

to President Kennedy for aveing action, and to the public

Sobell through renewed appear

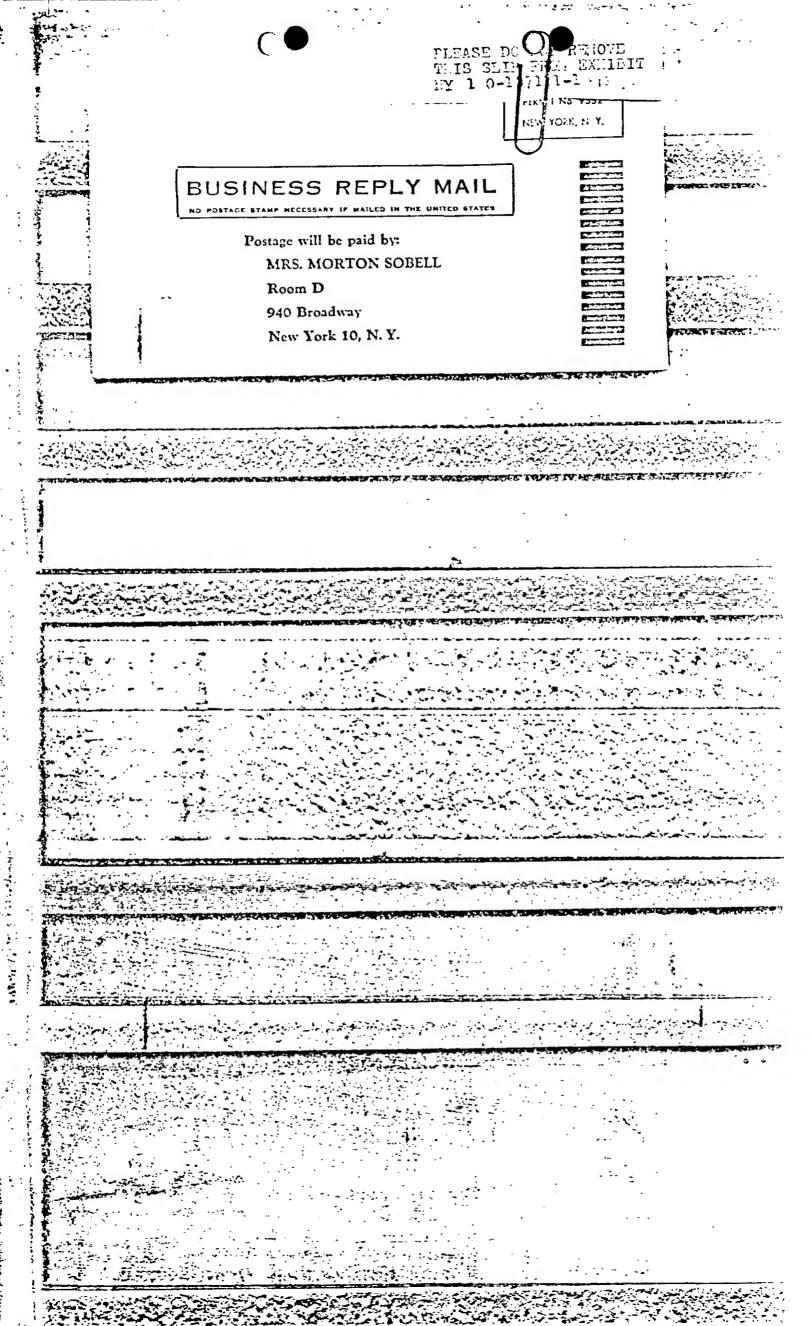
conscience,

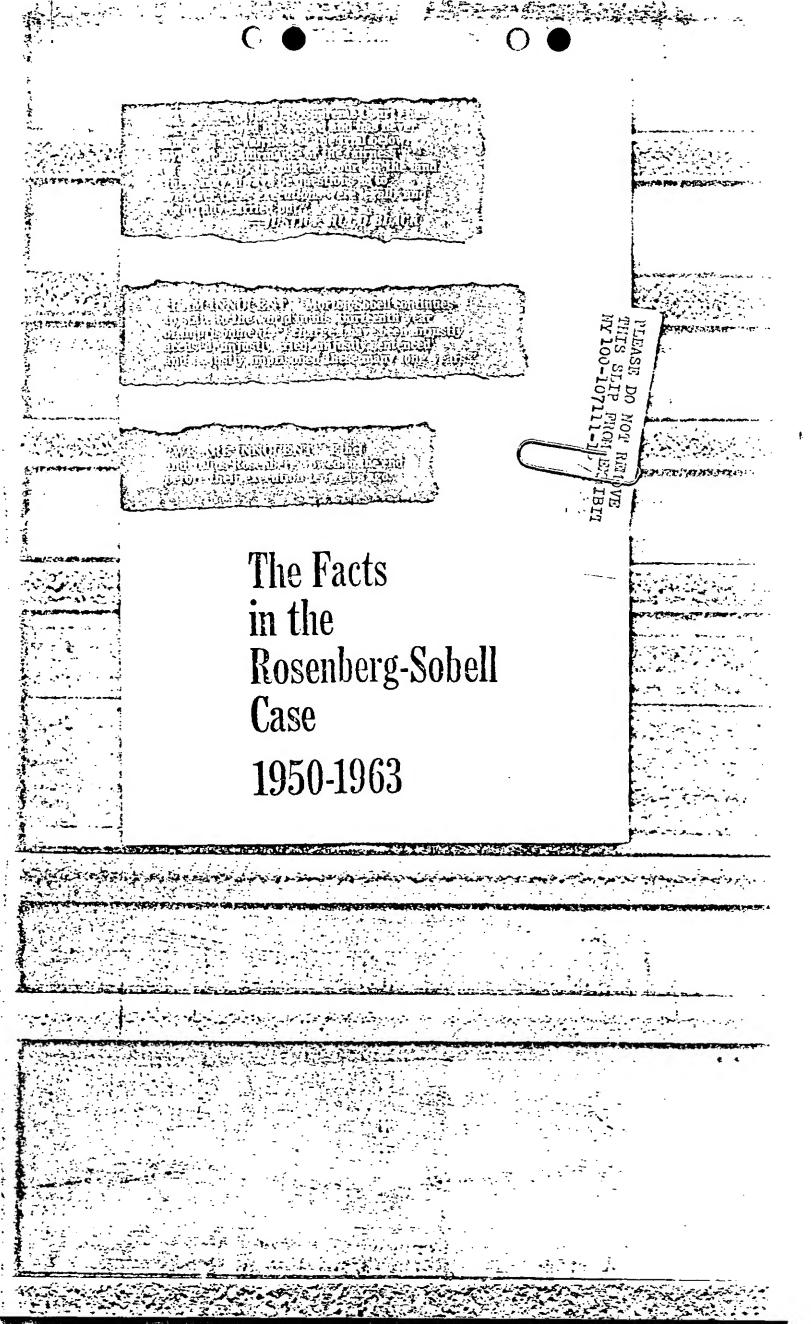
्र्राताः विस्तातिक

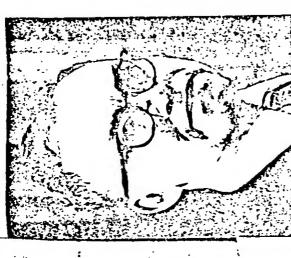
- Sobell and name an independent representation mission into the Rosenberg-Sobell case
- 2. Show to your organization or home ratio or government 16mm sound film "Morton Seed" for Justice" (30 minutes).
- 3. Send a contribution to the Soboll Correct the address below to help curry on the world
- 4. Circulate this booklet and other accession rial for more intensive study. The full record can be bought for \$6 per set of \$100 it can be borrowed.

SOBELL COMMITTEE 940 Broadway, New York 10, N.Y AL, 4,9993

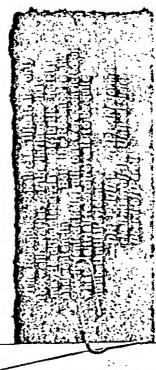
Among those who have urred s. release on many grounds are: Rev. Gross W. Alexander David Andrews Roger Baldwin Rabbi J. S. Bass Rev Peter McCormack Sen Lee Metcalf Br. Uri Miller Gerhard D. W. Mueller Carleton Beals Lewis Mumford Helen M. Beardsley Dr. John C. Bennett Dr. Gardner Murphy Jerome Nathanson Leo Berman Dr. Reinhold Niebuhr Rabbi Samuel Bernstein Lord Boyd Ore Prof. Victor Paschkis Robert Bolt Rabbi Balfour Brickner Dr. Linus Pauling Dr. Martin Buber Dr. Dryden Linsley Phelps Dr. Edmond Cahn Ciarence E. Pickett Pablo Casals Prof. Dale Pontius Lord Charley Dr. Luis Sanchez Ponton Harold A. Cranefield Rabbi Emanue! Rackman Licyd Donnell
Rabbi Maurice B. Eisendrath
Elizabeth, Queen Mother of Belgium
Dr. Thomas I. Emerson Howard B. Radest Paul Ramsey Prof. Anatol Rapaport The state of the s 1 Prof. Oscar K. Rice Prof. Fred Rode!! Rev. John E. Evans James T. Farrell Lord Bertrand Russell Rabbi Marris Fishman Rev. Kenneth Ripley Forbes Jean-Paul Sartre Prof. Malcolm Sharp Waldo Frank Rev. G. Shubert Frye Dr. D. R. Sharpe Alan Sillitoe Rev. Erwin A. Gzede Sydney Silverman, M.P. Maxwell Geismar Harvey Swados Norman Thomas Rabbi Robert E. Goldburg Rabbi Israel Goldstein Rev. Francis S. Tucker Prof. Erwin R. Goodenough Kenneth Tynan Rev. Donald Harrington Or. Harold C. Urey Mrs. Clara M. Vincent Rowland Watts Dr. A. Eustace Haydon STATE OF THE PARTY OF Nat Hentoff Rev. John Haynes Holmes Rabbi Jacob J. Weinstein Rabbi Philip Herowitz Arnold Wesker Leo Hurwitz Dr. Daniel Day Williams Prof. Francis D. Wormuth Rev. John Paul Jones Rey. Joseph P. King Rey. Martin Luther King, Jr. Belgian League for Rights for Man Christian Century
The Nation Magazine
The New Republic William Kunstler Morris Laub Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld The New York Post The Progressive Social Action Commission of the Doris Lessing Donal E. J. MacNamara Union of American Hebrew Daniel G. Marshall and The state of the state The state of the state of Congregations Thirty Members of Parliament, Britain Dr. Leo Mayer Milton Mayer Louis F. McCabe * Women's International League for Peace and Freedom 1500 American Clergymen For further information write: SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y. Self Canada and a self-te mount







Morton Sobell



NOTES (SEA MENTED)

listorians now call it the era of MeCarthyism, It was a time of

the nation and been assured the atomic bomb would renait an American monopoly for years to come, When Russia unoxpoor liv exploded a bomb in 1919, "they stole it from us" was the pair by national response and a search for spies was on. fear and suspicion.

But Time Magazine commented on Jan. 2, 1950;

I.S. started its alom bomb project . . . The basic secrets were has a known to few. If the facts they contain had been properly aiready in their files, Until this week the Russian papers law publicized, a let of spy chasing and pointless orating might have which, Russian spics needed to steal. This fact has been asserted again and again by the Momic Energy Commission . . . Lart sen utific papers on the project, published in 1940, belowe to "For the last decade, there has been no 'atom-bomb serret week the A.E.C.'s files yielded documentary proof: Roes' her reneided."

responsible for Russia having the bomb. His wife was arrested a It was only when he still in God on his innocence that his name was listed as a defendant. The only "overt acts" charged were five conversations which be alterer a bad with Inline Resemberr, These conversations were not to be a entioned at the trial. In the beadings blared the arrest of Julius Resemberg as the "atom spy" who was short while later, In August, Morton Soludi was added as another "atom spy" even though the 's al judge was later to say that Sobell was not connected with the atomic project. The Rosenberrs and Sobell swore their innovence. Sobell was pressured to become an Suidenly the cause of Russia's Asbomb was said to be discovered the accused were pulity over before the trial, which took place by those still insisting it was espionage, Headlines in July, 1950, accusing witness while the question of a trial for him was delayed Contagging New York courtness

during the time of the Ker-

一直

The Rosenbergs were a New York-born couple, Julius Rosenberg had been an engineer and at the time of his arrest bad his own machine shop. The couple had two sons.

Morton Sobell, who grew up in the Bronx, was a radar specialist
Morton Sobell, who grew up in the Bronx, was a radar specialist
and an evening instructor at Brooklyn Polytechnical Institute. He
was employed at the Reeves Instrument Company at the time of his
was employed at the Reeves Instrument Company at the time of his
arrest. He and his wife, Helen, have a son, Mark, now 14, and by
arrest. He and his wife, Helen, have a son, Mark, now 14, and by

Mrs. Sobell's previous marriage, a daughter, Sydney. Morton Sobell and Julius Rosenberg had known each other at the City College of New York.

A THUS COUNTY

A key prosecutor, along with Irving Saypol and Myles Lane, was Roy Cohn, later to become Senator McCarthy's chief assistant, Cohn was discredited in the Army-McCarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.

CEDITION DISTORES ON

The gap between the headlines and the facts was wide. Neither The gap between the headlines and the facts was wide. Neither the Rosenbergs nor Sobell were charged with espionage. The difference: The charge was "conspiracy to comnit" espionage. The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

Ne prejective tal taylorder

In apposition to the defendants' plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimony of government witnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, did not claim to have , tolen any documents or photographed any papers, He told a tale of having eavesdropped on scientists and from

their conversation drawing diagrams giving atomic secrets. On cross-examination he admitted having failed his science courses at Brooklyn Polytech, Dr. Harold C. Urey, Nobel prize atomic scientist who studied the record subsequently and found "patently perjaired" presecution testimony, assertical "Though the information supposed to have been transmitted could have been important, a man of Greenglass's capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the atomic bomb to anyone," Greenglass was sentenced to 15 years imprisonment but is now free after having been released at the end of 1960,

Of Greenglass's testimony, the U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."

(

CONTRACTOR OF COLUMN

Only one witness, Max Elitcher, accused Sobell of any involvement. Elitcher, admitting previous perjury, testified that he was "scared to death." The judge told the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

Elitcher did not claim Sobell ever passed or received any secret material. He told the jury that Sobell, although he supposedly thought the FBI was following him, took a Binni film can resultent never specified) to Julius Rosenberg, Elitcher did not claim he saw Sobell give anything to Rosenberg, Elitcher has never heen prosecuted for his confessed perjury, but has been helped to find employment, as a reward for his testimony.

Subell's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the witness stand. Subell, wanting to take the stand, reluctantly bowed to their legal opinion.

अस्तर्भातिक १०० स्वितिक क्षेत्र स्वाप्तिक स्व

Sobell, But Gold, already under a 30 years sentence, described himself as the man to whom Greenglass gave the atomic data he said he obtained by cavesdropping on scientists. In a later trial, a man whom Gold accused went free after the court heard Gold's admission of having lived such a life of lies "it is a wonder that steam didn't come out of my ears." Gold is still in prison.

Elizabeth Bentley, who had become a frequent witness at the trials and Congressional hearings of the day, didn't claim to know the Rosenbergs or Sobell but added color with testimony on espionage methods. She was subsequently discredited in other proceedings. For example, she once accused a men of having supplied the Russians with advance information about Doolittle's raid on Tokyo which

見を対けい

[.] Murtan Sahell is not related to the brothers, Dr. Rabert Sablen and Jack Sable, who were in the public eye in on county different case,

was gleaned while the accused was in the Air Corps. But it was the raid. Former U.S. Congressman Ryron Scott of California proven that the man wasn't in the Air Corps until months after charged before a Congressional committee that 37 discrepancies had been found in Elizabeth Bentley's testimony in that case.





Ethel Kosenberg

Julius Rosenherg

for any member of this jury to have yone home after roling for upset abant these things and it would seem to me very difficult yesteria during the Korean War when people were very much This jury was bearing this trial in the midst of the McCarthy he verdict was "guilty." Dr. Harold C. Urey has said:

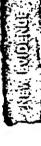
acquittal and retained his job or his position in his community.

toued against the Rosenbergs: ". . . I believe your conduct in puteaused, in my opinion, the Communist aggression in Korea, with the Judge Irving Kaufman, expressing the hysteria of the time, ining into the hands of the Russians the A-homb years before our best scientists predicted linssia would perfect the bomb has already resultant cannalties execeding 50,000 and who knows but that milions more of innocent people may pay the price of your treason. ndeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country."

He condemned then to death, Nobody had ever been executed for espionage in the United States during peacetime. No woman had been executed by the federal government since 1865.

To Morton Sobell the judge said:

le condenned Sobill to 30 years, and recommended against "The cridence in the case did not point to any activity on your part in connection with the atomic bomb project."



THE PARTY OF THE P

Since the trial till following are evidence has been presented in

- callways shouting incoherencies; and memoranda indicating that a was an habitual liar who had ... of hysteria and ran made through glass, according to document a his own handwriting, told con-Memoranda of David Greens ask lawyers revealing that Green-Beting stories; that Greenglassy wife confided that her husband leal was made with the prosection to lighten Greenglass's punishment in exchange for his testim any.
- · Proof that a console table the Rosenbergs owned was an ordinary. nexpensive table bought in More's as they had testified. The prosecution had claimed the table, is a produced in court, was an expensive gift from the Russians hollowed out for secret microfilm work.
 - · Proof that the prosecution brought a passport photographer to court secretly to observe the Basenbergs, Later, on the stand, he claimed he was identifying them upon secing them for the first time in court.
 - instigation of the prosecution, and that at the trial the prosecution claimed fraudulently that the Mexican government had deported Sobell, thus giving the court the impression that Sobell was a fucidid not deport Sobell, but took action to see that Its laws were not · Proof that Morton Solell was kidnapped from Mexico at the ive. The new evidence showed that the Mexican government not "" violated by an international kiduapping.
- while in Mexico on vacation he thought of living abread. He made he lived openly in Mexico ('ily under his own name where he could inquiries under other names for passage to France and Israel. But manner with proper tourist cards and air fickets, and in their own name, Sobell, as a scientist and teacher with left-wing views, has admitted that hysteria in the United States frightened him, and · Proof that Schell and his family went to Mexico in a normal

HEARING IN COURT, Each time, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN be reached readily, and not as a fugitive. tvoid a hearing on the merits.

प्रतिसंस्कृति (५०) (५० भूषे प्रतिस्था ।

defenders of the Rosenium-Sobell verdict often claim that the to review a case in no way is dives its merits. Further, appeals are Supreme Court has reviewed the case many times and found nothing wrong. The fact is, as Justice Black has stated, "This Court has never reviewed this recess and has never affirmed the fairness imited to legal points, not the diestion of innocence or guilt or which of the trial below." The Supyene Court has emphasized that refusal أستطي والمصيطي معارمي مسائده المياني والمفطرون والامامة وور

of Americal the bearing the Property witness was felling the teath.

voted for a new Sobell trial in a dissenting opinion holding that Schell's case should have been considered separately from that of the Rosenbergs.

in a substance of the property of the second of the second

Contract Contract

that if the defense had raised the question sooner, a mistrial should Appents used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said "Wholly reprehensible" was, the expression the U.S. Court of

have been declared.

Rosenberg's answers at the trial could not be believed because she Recent court decisions have emphasized other prosecution unfairhad pleaded the 5th Amendment to the same questions previously before a Grand Jury. Supreme Court rulings in other cases since the ness. The prosecution repeatedly implied to the jury that Ethel execution have branded such tactics as unfair and illegal.

under today's interpretation of the law the trial of Ethel and Julius the court said it is too late for Sobell to raise the point. Legally Rosenberg and Morton Sobell would have been considered unfair. But speaking, the Appeals Court said, it would not be too late for Ethel On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that tosenherg, if she were alive, to raise the point.

thousands marching before the White Rouse, and pleas pouring in paralleled only by such cases as the Mooney-Billings and Saccofrom throughout the world, Pope Pius XII, the President of France, and Albert Einstein were among those who intervened for elemency. The furor that the Resenberg-Sobell trial unleashed has been There were public meetings and demonstrations, debates in the press. anzetti cases in the United States and the Dreyfus case abroad

Julius and Ethel Resemberg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death while the executioner stood by in Sing Sing prison. A few hours later, on June 19, 1958, with the execution moved abend until just before sundown to avoid having it occur on the Jewish Sabbath, A legal hattle raged until the last moment. Justice Douglas granted Supreme Court had adjourned for the summer, but it was called back into unprecedented session to overrule Instice Douglas 6-3 chamber with the offer to spare them if they would admit guilt. a stay of execution, braving later moves for his impeachment. Ti

Morton Soliell received the news in Alcatraz, a prison supposedly 1952, after he vefused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to change his testimony, soliell spent five and a half years in Alcatraza for hardened criminals. He had been sent there on Thanksgiving Day,

tests against this treatment as paing vindictive resulted in his where his wife could only see the through a pane of place and talk through a telephone when sheep and him. Widespread First pretransfer to Atlanta Federal Pencentiary, where he is now held.



includes eminent persons of nany viewpoints the world over (see partial listing on page 10.) There are appeals by those who question Sobell innocent, by those who say the Rosenbergs were pully but regard the 30-year sentence as excessive and believe he should now The list of those urging Scienz's release has grown each year. It the fairness of the trial, by time who believe the Rosenbergs and Schell is innocent, and even by thuse who nevert Scheil's guist last he released.

A special independent study was made by a noted group including of inquiry called the case against Sobell "vague in content and Edmond Cahn, professor of law at New York University, and Dr. Reinhold, Niebuhr of the Unita Theological Seminary. The 1000 slender in proof" and recommended a commutation of sentence.

about favorable action, A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to had the responsibility of defending the verdict and the execution Refore his election as President, then Senator John F. Kennedy residential spokesmen in the White House were still optimistic the study were the same holderers in the department who previously had his aides meet with person-appealing for Sobell and gave every impression of plauning action in his behalf. After the election, of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.

Posterie of All

Morton Sobell is officially eartble for parole. He has a job waiting for him, Rabbi Balfour Bricktor, director of the Joint Commission on Interfaith Activities of the Union of American Hebrew Congres-

gations and the Central Conference of American Rabbis, has agreed to serve as his parele advisor. Sobell's wife, his mother, and his children have stond by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits and correspondence.

A COLOR OF THE PROPERTY OF THE

4 . 1. 11.

•

bonal E. J. MacNamara, Dean of the New York Institute of Criminology, describes Solell as the ideal candidate for parole underevery accepted criterion. Notables from throughout the country testified in Washington in Dehalf of Sobell at a parole hearing and recommended that he be allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Rosenberg-Sobell case runs through the fabric of the last tecade. There have been countless statements by authorities that Russian scientific capacities were woofully underestimated and Soviet development did not come from espionage. Yet two persons are baried in a grave on Long Island on the accusation that they gave Russia the atomic bomb.

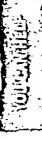
Newspaper columnist Jack Scott has commented in the Vancouver Sun: "Sobell, himself, has continued to protest his innocence, although a confession, whether true or false, would lighten his staggering sentence... I happened to be reading a booklet on the witcheraft trials in Salem, Mass, when I came across the Sobell file. One paragraph tells of 13 women and six men hanged as witches and concludes, 'Fifty persons confessed and were freed.' The comparison with the Rosenberg-Sobell case is unavoidable."



Professor Francis D. Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of American jurisprudence" because of fear in Washington of opening the Pandora's box of the Rosenberg-Sobell case.

A committee of entirent Americans is seeking to form an independent Commission of Inquiry that would investigate the entire case from top to bottom and render a verdict in the light of present perspective.

Meanwhile, there is a continuing urgent effort to free Morton Sobell through renewed appeals in the courts, to the parole board, to President Kennedy for executive action, and to the public conscience.



- 1. Write to President Kennedy wrging that he free Sobell and name an independent inquiry commission into the Recomberg-Sobell case.
- 2. Show to your organization or home guthering the new 16mm sound :: Im "Morton Sobell--A Plea for Justice" (30 minutes).
- 3. Send a contribution to the Sobell Committoe at the address below to help earry on its work,
- 4. Circulate this bookiet and other available material for more inversive study. The full trial record can be bought for \$6 per set of 8 volumes, or it can be borrowed.

SORED COMMITTEE

940 Brondway, New York 10, N.Y.

\$:R66-1

Among those who have urged Sobell's release on many grounds are: Rev Gross W Alexander David Ai drews
Roger Baldinin
Rabbl J. S. Bass
Carieton Beals
Helen M. Beardsley Rev. Peter McCormack Sen. Lee Metcalf Dr. Uri Miller Gerhard D. W. Mueller Lewis Mumford Dr. Gardner Murphy Dr. John C. Bennett Jerome Nathanson Les Bernian Br. Reinhold Niebuhr Lord Poyd Orr Rabbi Samuel Bernstein Robert Batt Prof. Victor Paschkis Dr. Linus Paufing Dr. Dryden Linsley Phelps Clarence E. Pickett Rabbi Balfour Brickner Dr. Martin Buber Dr. Edmond Cahn Pablo Casais Prof. Bale Pontius Lord Charley Dr. Luis Sanchez Ponton Harold A. Crancheld Lloyd Bonnell Rabbi Maurice B. Eisendrath Rabbi Emanuel Rackman Howard B. Radest Paul Ramsey Elizabeth, Queen Mother of Belgium Prof. Anatol Rapaport Prof. Oscar K. Rice Dr. Thomas I. Emerson Rev. John E. Evans James T. Farrell Prof. Fred Rodell Lord Bertrand Russell Rabbi Morris Fishman Jean-Paul Sartre Ray, Kenneth Ripley Forbes Prof. Malcolm Sharp Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Dr. D. R. Sharpe Alan Sillitae Sydney Silverman, M.P. Harvey Swados Rathi Robert E. Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Norman Thomas Rev. Francis S. Tucker Kenneth Tynan Rev. Donald Harrington Dr. A. Eustace Hayden Nat Hentoff Dr. Harold C. Urey Mrs. Clara M. Vincent Rewland Watts Rev. John Haynes Holmes Rabbi Jacob J. Weinstein Rabbi Philip Horowitz Arnold Wesker Lea Kurwitz Dr. Daniel Day Williams Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr. Prof. Francis D. Wormuth Belgian League for Rights for Man Christian Century William Kunstler The Nation Magazine The New Republic The New York Post Morris Laub Dr. Paul L. Lehmann Rabti Arthur J. Lelyveld The Progressive Doris Lessing
Donal E. J. MacNamara Social Action Commission of the Union of American Hebrew Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe Congregations Thirty Members of Parliament, Britain Women's International League for Peace and Freedom 1500 American Clergymen For further information write: SOBELL COMMITTEE, 940 Broadway, New York 10, N



What shines from your cell

To my lonely cell, my loved one?
What shines from your cell

To my lonely cell, my loved one?

Your eyes like bright stars
Shining through prison bars,
Your eyes like bright stars, my loved one.

Oh if I could bring
Oh what would I bring my loved one?
Oh if I could bring
Oh what would I bring my loved one?
I'd bring a red rose
And my heart I'd enclose,
I'd bring a red rose, my loved one.

And if I could speak
Oh what would I say, my loved one?
And if I could speak
Oh what would I say, my loved one?
I'd say "I love you
Our love's old, our love's new,"
I'd say "I love you," my loved one.

And if we could sing
Of what would we sing, my loved one?
And if we could sing
Of what would we sing, my loved one?
We'd sing of the light
That comes out of dark night,
We'd sing of the light, my loved one.

Will our children laugh,
Will we hear them laugh, my loved one?
Will our children laugh,
Will we hear them laugh, my loved one?
We know it will be
For the people and we
Will fight till we're free, my loved one.

Copyright 1553 by Edith Segal Committee to Scaure Justice for Morton Schell \$40 Broadway, No. York 10, N.Y.





IF WE DIE

by Ethel Rosenberg

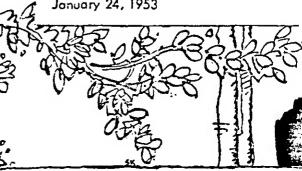
You shall know, my sons, shall know why we leave the song unsung, the book unread, the work undone to rest beneath the sod.

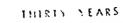
Mourn no more, my sons, no more why the lies and smears were framed, the tears we shed, the hurt we bore to all shall be proclaimed.

Earth shall smile, my sons, shall smile and green above our resting place, the killing end, the world rejoice in brotherhood and peace.

Work and build, my sons, and build a monument to love and joy, to human worth, to faith we kept for you, my sons, for you.

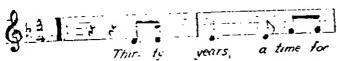
Ossining, N.Y. January 24, 1953





A Ballad for Marton Sobell



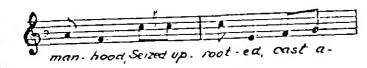


















copyright 1959

THIRTY YEARS

Thirty years, a time for living,
Thirty years, a time to die,
Thirty years, the judge pronounced it,
Innocent, I swear, am !!

Thirty years, my life, my manhood, Seized, uprooted, cast away By the mighty robed in falsehood, By the bigots of the day.

Listen all who walk in freedom, Listen all who treasure time, Listen all who've tasted terror, What is justice, what is crime?

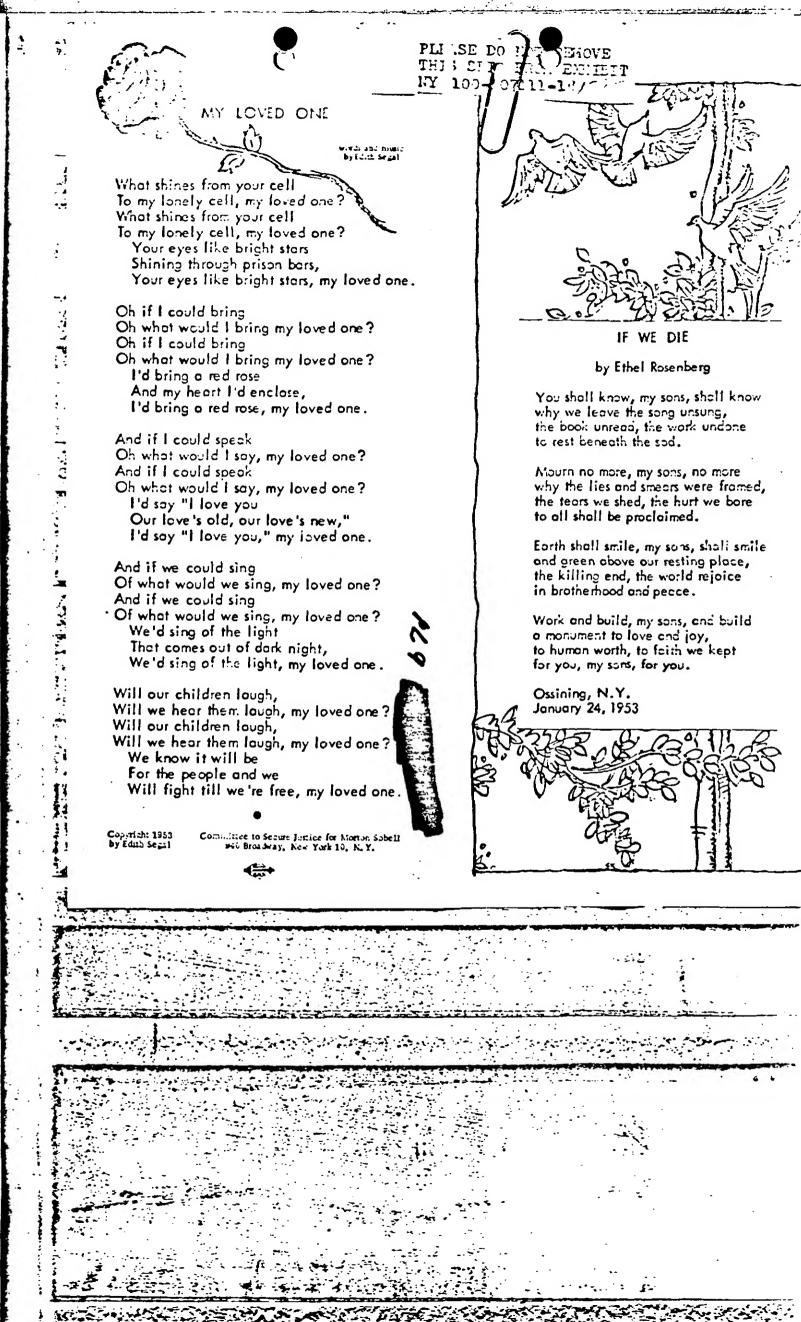
Shall I languish here forgotten
On the perjured word of one
Or will valiant men and women
Cry for justice to be done?

Ten gone years lie cold and fallow, Twenty more? It cannot be! Voices rise and high walls crumble, Days of home again I see!

I'll return to you dear children, Brave, sweet mother, sterling wife, We will welcome Spring together, We'll retrieve our stolen life.

Oh to walk among the people, Clasp their hands, their faces see In the sunlight, working, singing, Soon, oh soon I must be free!

Oh to walk among the people, Clasp their hands, their faces see, Voices rise and high walls crumble, Days of home again I see, Soon, oh soon I must be free!



THIBTY YEARS

Thirty years, a time tor living,
Thirty years, a time to die,
Thirty years, the judge pronounced it,
Innocent, I swear, am 1!

Thirty years, my life, my manhood, Seized, uprcoted, cast away

By the mighty robed in falsehood,

By the bigots of the day.

Listen all who walk in freedom, Listen all who treasure time, Listen all who've tasted terror, What is justice, what is crime?

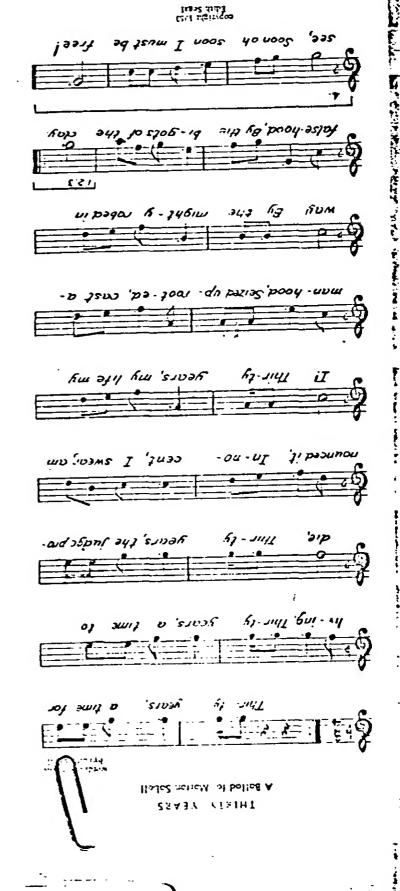
Shall I languish here forgotten
On the perjured word of one
Or will valicat men and women
Cry for justice to be done?

Ten gone years lie cold and fallow, Twenty more? It cannot be! Voices rise and high walls crumble, Days of hame again I see!

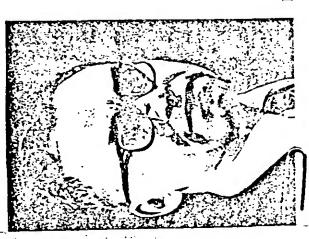
1'11 return to you dear children, Brave, sweet mother, sterling wise, We will welcome Spring together, We'll retrieve our stolen life.

Oh to walk among the people, Clasp their hands, their faces see In the sunlight, working, singing, Soon, oh soon I must be free!

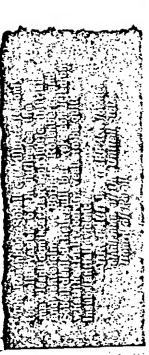
Oh to walk among the people, Clasp their hands, their faces see, Voices rise and high walls crumble, Voices rise and high walls crumble, Soon, oh soon I must be free!



The Facts in the Rosenberg-Sobell Case 1950-1963



Morton Sohell



TOTAL SERVICE

Historians now call it the era of McCarthyism. It was a time of car and suspicion.

Our nation had been assured the atomic bomb would remain an American monopoly for years to come. When Russia unexpectedly exploded a bomb in 1949, "they stale it from us" was the panicky national response and a search for spies was on.

But Time Magazine commented on Jan. 2, 1950;

"For the last decade, there has been no 'atom-bomb serret' which Russian spies needed to steal. This fact has been asserted again and again by the Atomic Energy Commission . . . Last needs the A.E.C.'s files yielded documentary proof: Russian scientific papers on the project, published in 1940, before the U.S. started its atom bomb project, . . The basic 'secrets' were already in their files. Until this week the Russian papers have been known to few. If the facts they contain had been properly publicized, a lot of spy chasing and pointless orating might have been avoided."

Suddenly the cause of Russia's A-bomb was said to be discovered by those still insisting it was espionage. Headlines in July, 1950, blared the arrest of Julius Rosenberg as the "atom spy" who was responsible for Russia having the bomb, His wife was arrested a short while later, In August, Morton Sobell was added as another "atom spy" even though the trial judge was later to say that Sobell was not connected with the atomic project. The Rosenbergs and Sobell swore their innocence. Sobell was pressured to become an accusing witness while the question of a trial for him was delayed. It was only when he still insisted on his innocence that his name was listed as a defendant. The only "overt acts" charged were five conversations which he allogedly had with Julius Rosenberg. These conversations were not to be mentioned at the trial. In the headlines the accused were guilty even before the trial, which took place during the time of the Kovem before the trial, which took place

had been an engineer and at the time of his arrest had his own The Resembergs were a New York-horn comble, Julius Resemberg

Morton Sobell,* who prew up in the Bronx, was a radar specialist and an evening instructor at Brooklyn Polytechnical Institute. He arrest. He and his sife, Helen, have a son, Mark, now 14, and by was employed at the Beeves Instrument Company at the time of his machine shop. The couple had two sons,

Morton Scholl and Julius Rosenberg had known each other at the Mrs. Scholl's previous marriage, a daughter, Sydbey. City College of New York.

was discredited in the Army-McCarthy hearings in 1954 when it A key prosecutor, along with Irving Saypol and Myles Lame, was Roy Cohn, later to become Senator McCarthy's chief assistant, Cohn was proven that he doctored a photograph presented in evidence.

The gap between the neadlines and the facts was wide. Neither the Rosenbergs nor Sobell were charged with espionage or treason. the charge was "conspiracy to commit" espionage, The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

of government witnesses who stood to guin personally by their accuevidence was presented in the trial. The case rested on the testimony sations. The trial was colored by proscention claims, also without In opportion to the defendants' plea of innocence, no documentary decomentation, that the defendants were members of the frommond Party.

brother of Ethel Resemberg, Greenglass, a mechanic at Los Alances. papers. He told a fale of having gavesdropped on scientists and from The chief witness against the Rosenbergs was David Greenglass. did not claim to have stolen any documents or photographed

experies when ever a related with the brothery. Do Balant Solden and Jack Solden with several for a contract of a fatherest ends.

· S. Court of Appeals said: important, a man of Greenchemistry and mathematics of considerable bomb to anyone." Green-.....ament but is now free after . 341 prize atomic scientist who a goind "patently perjured" pro-. ef transmitting the physics, Doubtless, if that testinger very exercised, the conviction could . g wing atomic secrets. On or 188examination he admitted by any his science courses at Brookth the information supposed heir conversation drawit. ! . glass was sentenced to 15 c.c. having been released at the . . . Of Greenglass's testimene, indied the record subsequent glass's capacity is wholk a e-cution (estimony, assert ien Polytech, Dr. Haroft et to have been transmitted or

CONTRACTOR OF

Committee of the comment of the contraction of

to death," The judge told the part of you do not believe the testimony of Max Elitcher as it perty and Sobell, then you must acquit elitcher, admitting previous to a testified that he was "scared the defendant Sobell."

material. He told the junt to well although he supposedly never specified) to Julius In a see Enteber did not claim he saw Sobell give anything to Boot or Eitcher has never been prosethought the FBI was followers to the admin film can reordents . 'se been helped to find employ-Efficher did not claim Some core passed or received any secret cuted for his confessed pervice. ment, as a reward for his tester

effective defense would be to to be plea of innocence, without even taking the witness stant 1 12 uctantly bowed to their level or

Only one witness, Max Eurere eard Soboll of any involvement

Sobell's lawyers advised it. or the case was so flimsy his most *anting to take the stand, re-

TO ALL THE PROPERTY OF THE PARTY OF THE PART

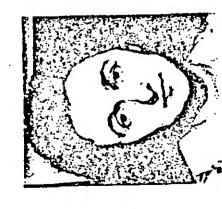
he obtained by cavesdropped to a sion of having lived such a adwhom Gold accused went free didn't come out of my cars." to 中子子のではないのできないのできないできます。 こうけんしゅうかんき Harry Gold never chilians

Recembergs or Sobell but 1245 methods. She was subsequent? example, she once acre ed a Elizabeth Bentley, who i sei and Congressional Fearing with advance informated ...

199 court heard Gold's admis-.. "it is a wonder that steam Sobell, But Gold, already ne and a sease sentence, described him-"Miste, In a later trial, a man self as the man to whom Greek to the atomic data he said -- known the Rosenbergs and · · · · i ·n prison.

" a frequent witness at the trials * Ath testimony on espionage " " and in other proceedings, For True supplied the Russians '11. didn't chain to know the "" raid on Telva which

the raid. Former U.S. Congressman Byron Scott of California was gleaned while the accused was in the Air Corps. But It was proven that the man wasn't in the Air Corps until months after charged before a Congressional committee that 37 discrepancies had been found in Elizabeth Bentley's testimony in that case.





Julius Rosenberg

Ethel Rosenberg

This jury was hearing this trial in the midst of the McCarthu 'he verdiet was "guilty." Dr. Harold C. Urey has said:

for any member of this jury to have pone home after voting for upset about these things and it would seem to me very difficult ysteria during the Korean War when prople were very much acquittal and retained his job or his position in his community.

Judge Irving Kausman, expressing the hysteria of the time, inscientists predicted Russia would perfect the bomb has already caused, in my opinion, the Communist aggression in Korea, with the oned against the Rosenbergs: ". . . I believe your conduct in putting into the hands of the Russians the A-homb years before our best resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason. indeed, by your betrayal you undoubtedly have altered the course of

peacetime. No woman had He condemned them to death, Nobody had ever been executed for been executed by the federal government since 1865. history to the disadvantage of our country." espionage in the United States during

To Morton Sobell the judge said:

He condemned Sobell to 30 years, and recommended against "The evidence in the case did not point to any activity on nour part in connection with the atomic bomb project."

กลากให้

AND EVENING

Since the trial the following the evidence has been presented in

- · Memoranda of David Greenzhau's lauyers revealing that Greenglass, according to documents . his own handwriting, told conwas an habitual liur who had fitee ; thysteria and ran nude through nallways shouting incoherencies; and memoranda indicating that a deal was made with the prosuction to lighten Greenglass's punishlicting stories; that Greenglass's wife confided that her husband ment in exchange for his testim ex-
- cution had claimed the table, not produced in court, was an expensive · Proof that a console table the Bosenbergs owned was an ordinary. nexpensive table bought in Mac: . as they had testified. The prosegift from the Russians hollowed at for secret microfilm work.
- · Proof that the prosecution by ight a passport photographer to court secretly to observe the Resolvergs, Later, on the stand, he claimed he was identifying them was seeing them for the first time
- · Proof that Morton Sobell was kidnapped from Mexico at the live. The new evidence showed that the Mexican government not only claimed fraudulently that the Mexican government had deported instigation of the prosecution, and that at the trial the prosecution Sobell, thus giving the court the empression that Sobell was a fugidid not deport Sobell, but took action to see that its laws were not violated by an international kidnarring.
 - inquiries under other names for trasage to France and Israel, But manner with proper tourist card. and air tickets, and in their own name. Sobell, as a scientist and coucher with lest-wing views, has admitted that hysteria in the United States frightened him, and while in Mexico on vacation he thought of living abroad. He made he lived openly in Mexico City ut for his own name where he could · Proof that Sobell and his family went to Mexico in a normal be reached readily, and not as a furtive.

HEARING IN COURT. Each time, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN avoid a hearing on the merits.

COURT DE MONTH TO THE PARTY IN THE

to review a case in no way judger at merits. Further, appeals are imited to legal points, not the quirion of innocence or guilt or which nothing wrong. The fact is, as Justice Black has stated, "This Court Defenders of the Rosenberg Sectle verdict often claim that the Supreme Court has reviewed ::.. case many times and found has never reviewed this record, and never affirmed the fairness of the trial below." The Supreme " "art has emphasized that refusal 大きのはないのとはないのではないというということできませていているとはないというとはないない

One judge of the U.S. Court witness was felling the truth.

' Appeals, the late Jerome Prank,

gations and the Central Conference of American Rabbis, has agreed to serve as his parole advisor. Sobell's wife, his mother, and his children have stood by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits and correspondence.

Donal E. J. MacNumara, Dean of the New York Institute of Criminology, describes Sobell as the ideal candidate for purole under every accepted criterion, Notables from throughout the country testified in Washington in behalf of Sobell at a parole hearing and recommended that he be allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Rosenberg-Sobell case runs through the fabric of the last decade. There have been countless statements by authorities that Russian scientific capacities were weefully underestimated and Soviet development did not come from espionage. Yet two persons are buried in a grave on Long Island on the accusation that they gave Russia the atomic bomb.

Newspaper columnist Jack Scott has commented in the Vancouver Sun: "Sobell, himself, has continued to protest his innocence, although a confession, whether true or false, would lighten his stargering sentence... I happened to be reading a booklet on the witcheraft trials in Salem, Mass., when I came across the Sobell file. One paragraph tells of 13 women and six men hanged as witches and concludes, 'Fifty persons confessed and were freed.' The comparison with the Rosenberg-Sobell case is unavoidable."



Professor Francis D. Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of American jurisprudence" because of fear in Washington of opening the Pandora's box of the Rosenberg-Sobell case.

A committee of eminent Americans is secking to form an independent Commission of Inquiry that would investigate the entire case from top to bottom and render a verdict in the light of present perspective.

Meanwhile, there is a continuing urgent effort to free Morton Sobell through renewed appeals in the courts, to the parole board, to President Kennedy for executive action, and to the public conscience.



- 1. Write to President Kennedy urging that he free Sobell and name an independent inquiry commission into the Rosenberg-Sobell case.
- 2. Show to your organization or home gathering the new 16mm sound film "Morton Sobell—A Plea for Justice" (30 minutes).
- 3. Send a contribution to the Sobell Committee at the address below to belp carry on its work,
- 4. Circulate this backlet and other available material for more intensive study. The full trial record can be bought for 36 per set of 8 volumes, or it can be borrowed.

SOBELL COMMITTEE 940 Broadway, New York 10, N.Y.

voted for a new Sabell trial in a dissenting apinion halding that Sabell's case should have been considered separately from that of the Rosenbergs.



"Wholly reprehensible" was, the expression the U.S. Court of appeals used in one devision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said that if the defense had raised the question sooner, a mistrial should that if the defense had raised the question sooner, a mistrial should

have been declared.

Recent court decisions have emphasized other prosecution unfairness. The prosecution repeatedly implied to the jury that Ethelmess. The prosecution repeatedly implied to the jury that Ethelmess. The prosecutions at the trial could not be believed because she Rosenberg's answers at the trial could not be believed becouse the pleaded the 5th Amendment to the same questions previously had pleaded the 5th Amendment tulings in other cases since the before a Grand Jury, Supreme as unfair and illegal.

execution have branded such tactics as unfair and illegal.

On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that
Under today's interpretation of the law the trial of Ethel and Julius
Rosenberg and Morton Sobell would have been considered unfair. But
the court said it is too jate for Sobell to raise the point. Legally
speaking, the Appeals Court said, it would not be too late for Ethel
Rosenberg, if she were alive, to raise the point.

A CONTROLL OF THE VENT OF

The furor that the Rosenberg-Sobell trial unleashed has been The furor that the Rosensas the Mouney-Billings and Saccoparalleled only by such cases as the Mouney-Billings and Sacco-Vanzetti cases in the United States and the Dreyfus case abroad. There were public nucelings and demonstrations, debates in the press, There were public nucelings and demonstrations, and pleas pouring in thousands marching before the White House, and pleas pouring in thousands marching before the Pope Pius XII, the President of France, from throughout the world. Pope Pius XII, the President of France, and Albert Einstein were among those who intervened for elemency.

A legal battle raged until the last moment, Justice Douglas granted A legal battle raged until the last moves for his impeachment. The a stay of execution, braving later moves for his impeachment. The Supreme Court had adjourned for the summer, but it was called Supreme Court had adjourned for the summer, but it was called back into unprevedented session to overvule Justice Douglas 6-3 back into unprevedented session to overvule Justice Douglas 6-3 back into unprevedented by In Sing Sing prison. A few hours while the execution moved ahead until just later, on June 19, 1953, with the execution moved ahead until just before sundown to avoid having it occur on the Jewish Sabbath, before sundown to avoid having it occur on the Jewish Sabbath innocence in final statements, A telephone was kept open to the death innocence in final statements, A telephone was kept open to the death innocence in final statements.

Morton Sobell received the news in Alcatruz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, 1952, after he refused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to After the death of the Rosenbergs he was approached again to change his testimony. Sobell spent five and a half years in Alcatraz.

where he was count that it is a significant Widespread proble prothrough a telephone when she visted him. Widespread public protests against this treatment as being vindictive resulted in his transfer to Atlanta Federal Penipentiary, where he is now held.

स्याज्यात् ज्ञाना ज्ञाना

The list of those urging Scheift, release has grown each year. It includes eminent persons of many viewpoints the world over (see partial listing on page 10.) There are appeals by those who question the fairness of the trial, by those who believe the Rosenbergs and Schell innocent, by those who say the Rosenbergs were guilty but Schell is innocent, and even by those who accept Schell's guilt but regard the 30-year sentence as excessive and believe he should now

he released.

A special independent study was made by a noted group including A special independent study was made by a totiversity, and Dr. Edmond Cahn, professor of law at New York University, and Dr. Reinhold, Niebuhr of the Union Theological Seminary. The panel of inquiry called the case against Sobell "vague in content and slender in proof" and recommended a commutation of sentence.

HOGELS IN MASSERVICE ROLL DESIGNATION

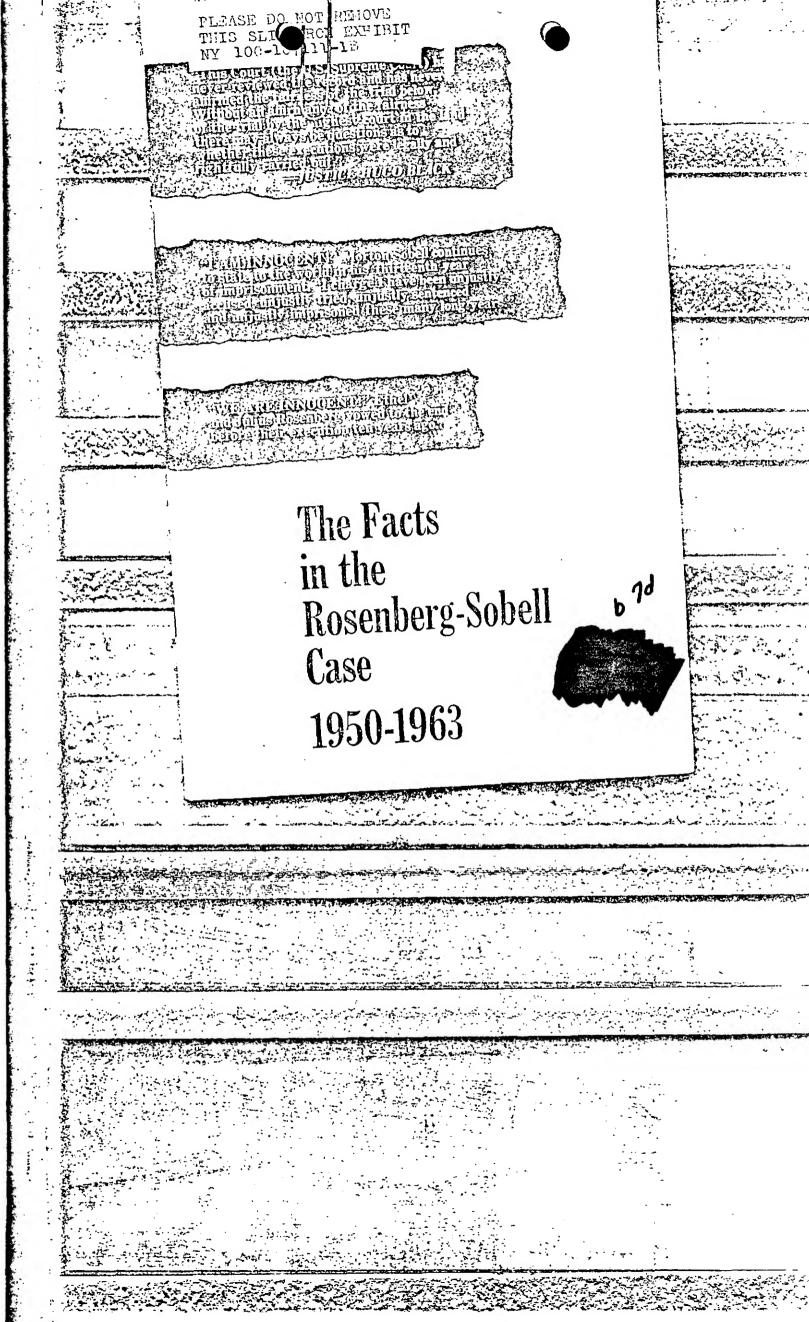
Refore his election as President, then Senator John F. Kennedy had his aides meet with persons appealing for Sobell and gave every impression of planning action in his behalf. After the election, Presidential spokesmen in the White House were still optimistic about favorable action, A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to the study were the same holdovers in the department who previously had the responsibility of defending the verdict and the execution of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.



Morton Sobell is officially eligible for parole, He has a job waiting for him, Rubbi Balfour Brickner, Breetor of the Joint Commission on Interfaith Activities of the Union of American Hebrew Congression Interfaith Activities of the Union of American Hebrew Congression

Among those who have urged Sobell's release on many grounds are: Sen. Lee Metcalt Dr. Uri Milier Rev. Gross W. Alexander Gerhard O. W. Mueller Lewis Mumford David Andrews Roger Baldwin Rabbi 1. S. Bass Dr. Gardner Murphy Carleton Beals Jerome Nathanson Helen M. Beardsley Dr. John C. Bennett Dr. Reinhold Niebuhr Lord Boyd Orr Prof. Victor Paschkis Leo Berman Rabbi Samuel Bernstein Dr. Linus Pauling
Dr. Dryden Linsley Phelps
Clarence E. Pickett
Prof. Dale Pontius Robert Bolt Rabbi Ballour Brickner Dr. Martin Buber Dr. Edmond Cahn Dr. Luis Sanchez Ponton Rabbi Emanuel Rackman Howard B. Radest Pablo Casals Lord Chorley Harold A. Cranefield Paul Ramsey Prof. Anatol Rapaport Lloyd Donnell Rabbi Maurice B. Eisendrath Rabbi Maurice B. Eisendrath
Elizabeth, Queen Mother of Belgium
Dr. Thomas I. Emerson
Rev. John E. Evans
James T. Farrell
Rabbi Morris Fishman
Rev. Kenneth Ripley Forbes
Waldo Frank Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Jean-Paul Sartre Prof. Maicolm Sharp Dr. D. R. Sharpe Alan Sillitoe Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Sydney Silverman, M.P. Harvey Swados Norman Themas Maxwell Geismar Rev. Francis S. Tucker maxwen beismar Rabbi Robert E. Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Kenneth Tynan Dr. Harold C. Urey Mrs. Clara M. Vincent Rev. Donald Harrington Rowland Watts Rabbi Jacob J. Weinstein Dr. A. Eustace Haydon Nat Hentoff Rev. John Haynes Holmes Arnold Wesker Dr. Daniel Day Williams Prof. Francis D. Wormuth Belgian League for Rights for Man Rabbi Philip Horowitz Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr. Leo Hurwitz Christian Century The Nation Magazine The New Republic William Kunstler The New York Post Morris Laub The Progressive Morris Laub Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld Deris Lessing Social Action Commission of the Union of American Hebrew Thirty Members of Parliament, Britain ucris Lessing Donal E. J. MacNamara Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe Women's International League for Peace and Freedom 1500 American Clergymen For further information wruc: SOBELL COMMITTEE, 940 Broadway, New York 10





Morton Sobell



Historians now call it the era of M Carthyism. It was a time of

fear and suspicion.

Our nation had been assured the comic bomb would remain an exploded a bomb in 1949, "they stole a from us" was the panicky American monopoly for years to come, When Russia unexpectedly'

national response and a search for spice was on-

already in their files. Until this way the Russian papers have been known to few. If the facts the ecuntain had been property publicized, a lot of spy chasing and contess orating wight have week the A.E.C.'s files wirlded deconculary proof: Russian scientific papers on the project, possished in 1940, before the again and again by the Atomic Energy Commission . . . Last For the last decade, there has tien no 'glom-bomb secret' which Russian spics needed to stea! This fact has been asserted But Time Magazine commented on J.n. 2, 1950; v. S. started its atom bomb proper been avoided."

It was only when he still insisted on the innocence that his name during the time of the Korean helita? In a New York courtroom responsible for Russia having the been. His wife was arrested a Sobell swore their innocence. Sobell as pressured to become an blared the arrest of Julius Rosenbors as the "atom spy" who was short white later. In August, Morton Sobell was added as another "atom spy" even though the trial jady. sas later to say that Sobell was not connected with the atomic to yect. The Rosenbergs and accusing witness while the question of trial for him was delayed Suddenly the cause of Russia's Adverb was said to be discovered by those still insisting it was espice or Headlines in July, 1950 conversations were not to be mentioned conversations which he allegedly had was listed as a defendant. The only

ort acts" charged were five · the trial. In the headlines



The Rosenbergs were a New York-born couple, Julius Rosenberg had been an engineer and at the time of his arrest had his own machine shop. The couple had two sons,

and an evening instructor at Brooklyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his Morton Sobell, who grew up in the Bronx, was a radar specialist arrest. He and his wife, Helen, have a son, Mark, now 14, and by Mrs. Sobell's previous marriage, a daughter, Sydney,

Morton Sobell and Julius Rosenberg had known each other at the City College of New York,



Roy Cohn, later to become Senator McCarthy's chief assistant, Cohn A key presecutor, along with Irving Saypol and Myles Lane, was was discredited in the Army-McCarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.

The kap between the headlines and the facts was wide, Neither the Rosenherrs nor Sabell were charged with espionage or treason. The charke was "conspiracy to commit" espionage, The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

In epposition to the defendants' plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimony of government vitnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, did not claim to have stolen any documents or photographed any papers. He told a tale of having cavesdropped on scientists and from brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos,

their conversation drawing diagrams recent atomic secrets. On crosslyn Polytech, Dr. Harold C. Urey, Nove prize atomic scientist who examination he admitted having failed is science courses at Brookstudied the record subsequently and it is inpatently perjured" prosecution testimony, asserted: "The ier, the information supposed to have been transmitted could have been important, a man of Greenglass's capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the at a c homb to anyone." Greenglass was sentenced to 15 years impressament but is now free after having been released at the end of 1950.

Of Greenglass's testimony, the U.S. Court of Appeals said; "Doubtless, if that testimony were discounded, the conviction could

to death." The judge told the jury: "If ou do not believe the testi-Elitcher, admitting previous perjury, a stiffed that he was "scared mony of Max Elitcher as it pertains to sobell, then you must acquit Only one witness, Max Elitcher, acc + 4 Sobell of any involvement the defendant Sobell."

material. He told the jury that Solved, although he supposedly thought the FBI was following him, took a 35mm film can econtents Elitcher did not claim Sobell ever passed or received any secret never specified) to Julius Rosenberg. I. teher did not claim he sav Sobell give anything to Rosenberg, Evriner has never been prosecuted for his confessed perjury, but in seen helped to find employment, as a reward for his testimony.

plea of innocence, without Sobell's lawyers advised him that the ase was so flimsy his most even taking the witness stand. Sobell, a anting to take the stand, reeffective defense would be to rest on h luctantly bowed to their legal opinion.

he obtained by cavesdropping on scier's S. In a later trial, a man larry Gold never claimed to have shown the Rosenbergs and Sobell, But Gold, already under a 20 v ers sentence, described himself as the man to whom Greenglass and the atomic data he said whom Gold accused went free after to court heard Gold's admisit is a wonder that steam sion of having lived such a life of liv

Blizabeth Bentley, who had become a firment witness at the trials and Congressional hearings of the dat didn't claim to know the methods. She was subsequently discred? A in other proceedings. For didn't come out of my ears." Gold is stinen prison. example, she once accused a man of : with advance information about Des-Rosenbergs or Sobell but added color

in testimony on espionage

m supplied the Russians " raid on Tokyo whiely

[•]Morton Sobell is not related to the brother; Dy Pohert Sobles and Jack Soble, who were in the public eye in an entirely different ence.

Crosse man lyron Scott of California charged before a Copressional committee that 37 discrepancies had been found in Blizaincth Bentley's testimony in that case,

t akmen en je



Ethel Rasenberg



Julius Rosenberg

The verdict was "guilty." Dr. Harold C. Urey has said;

"This jurn was bearing this trial in the midst of the McCarthy for any member of this jury to have gone home after voting for hysteria during the Korean Wer when people were very much upset about these things and it would seem to me very difficult acquittal and relained his job or his position in his community."

Judge Irving Kaufman, expressing the bysteria of the time, inting into the hands of the Russians the Ashamb years before our best toned against the Rosenbergs; "... I believe your conduct in putscientists predicted Russia would perfect the bomb has already caused, in my opinion, the Communist aggression in Korea, with the resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may hay the price of your trenson, Indeed, by your betrayal you undonbredly have aftered the course of history to the disadvantage of our country."

He condemned them to death, Nebuly had ever been executed for espionage in the United States during peacetime. No woman had been executed by the federal government since 1865, To Morton Sobell the judge said:

He condemned Sobell to 30 years, and recommended against The evidence in the case did seet point to any activity on your part in connection with the counic bomb project. parole

門はいうとうないと क्षा होतालात

Since the trial the following new .

• Memoranda of David Greenghass, agers revealing that Green.

Was an habitual liar who had fits it steria and ran nude throuph hallways shouting incoherencies; a: ' "smoranda indicating that a flicting stories; that Greenglass's . . Proof that a console table the Ross. ment in exchange for his testimony.

cution had claimed the table, not project in court, was an expensive · Proof that the prosecution brever: a passport photographer to court secretly to observe the Rose, 1988 Later, on the stand, he gift from the Russians hollowed or. ** secret microfilm work. inexpensive table bought in Macy's

 Proof that Morton Sobell was k * upped from Mexico at the instigation of the prosecution, and vivial the trial the prosecution claimed fraudulently that the Mexi a revernment had deported tive. The new evidence showed that to Mexican government not only did not deport Sobell, but took active in see that its laws were not violated by an international kidnappie;

manner with proper tourist cards at the tickets, and in their own name. Sobell, as a scientist and tea or with left-wing views, has admitted that hysteria in the Unite's states frightened him, and while in Mexico on vacation he thus, :: of living abroad. He made inquiries under other names for passage to France and Israel, But · Proof that Sobell and his famit,

he lived openly in Mexico City under is cown name where he could be reached readily, and not as a fugition

HEARING IN COURT, Each time, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER REEN GIVEN avoid a hearing on the merits.

The second states of the second secon A proper designation of the second

of the trial below." The Supreme Coar. has emphasized that refusal to review a case in no way judges it. "writs. Further, appeals are limited to local points, not the question annocence or guilt or which Defenders of the Rosenberg-Sobel, Supreme Court has reviewed the nothing wrong. The fact is, as Justice has never reviewed this record and is wigness was telling the truth.

Une judge of the U.S. Court of .3: "is, the late Jerome Frank,

lence has been presented in

own handwriting, told con-Exiten Greenglass's punish.

orgs owned was an ordinary,

claimed he was identifying them up a coug them for the first time

erdict often claim that the " many times and found sek has stated, "This Court

voted for a new Sobell trial in a dissenting opinion holding that Sobell's case should have been considered separately from that of the Rosenbergs

that if the defense had raised the question sooner, a mistrial should "Wholly reprehensible" was the expression the U.S. Court of Appeals used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said have been declared.

Recent court decisions have emphasized other prosecution unfair-Rosenberg's answers at the trial could not be believed because she had pleaded the 5th Amendment to the same questions previously before a Grand Jury. Supreme Court rulings in other cases since the ness. The prosecution repeatedly implied to the jury that Ethel execution have branded such tactics as unfair and illegal.

under today's interpretation of the law the trial of Ethel and Julius On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that Rosenberg and Morton Sobell would have been considered unfair. But speaking, the Appeals Court, said, it would not be too late for Ethel the court said it is too late for Sobell to raise the point. Legally tosenberg, if she were alive, to raise the point.



housands marching before the White House, and pleas pouring in The furner that the Rosenberg-Sobell trial unleashed has been urallebet only by such cases as the Mooney-Billings and Saccoanzetti cass in the United States and the Dreyfus case abroad, There were public meetings and demonstrations, debates in the press, rom throughout the world, Pope Pius XII, the President of France, and Albert Einstein were among those who intervened for elemency.

a stay of evecetion, braving later moves for his impeachment. The while the evecutioner stood by in Sing Sing prison. A few hours fulius and Ethel Rosenberg were electrocuted. They swore their ater, on June 19, 1953, with the execution moved ahead until just mocence in final statements, A telephone was kept open to the death A legal battle raise a until the last moment. Justice Douglas granted Supreme Court had adjourned for the summer, but it was enlied nck into unpercolonted session to overrule Justice Douglas 6-3 before sundawn to avoid having it occur on the Jewish Sabbath, chamber with the offer to spare them if they would admit guilt.

en a pane of glass and talk through a telephone when she visted of Midespread public protests against this treatment as bein, vindictive resulted in his transfer to Atlanta-Enderal Peniten, ... where he is now held, where his wife could only see him the



includes eminent persons of many vis soints the world over esceregard the 30-year sentence as excession and believe he should now The list of those urging Sobell's no so has grown each year. It partial listing on page 10.) There are peals by those who question where the Resembergs and Scholl innocent, by those who say the Combergs were guilty but Sobell is innocent, and even by those veracept Sobell's guilt but the fairness of the trial, by those wi. be released.

A special independent study was mar of inquiry called the case against s slender in proof" and recommended a Edmond Cahn, professor of law at N. Reinhold, Nichuhr of the Union The

wa noted group including exal Seminary. The pomer -3 "vague in content and York University, and Dr. amulation of sentence,

Senator John F. Kennedy

shalf, After the election,

had the responsibility of defending the redict and the execution Presidential spokesmen in the White Hase were still optimistic : for Sobell and gave every about favorable action, A "new" stud: -48 said to be underway in the Justice Department, But it turn : the study were the same holdovers in the impression of planning action in hi-Before his election as President, tihad his aides meet with persons appear of the Rosenbergs.

Presidential elemency was denied. 1 · official position was that it would be up to the parole board.



Morton Sobell is officially eligible for for him, Rabbi Balfour Brickner, die on Interfaith Activities of the Unles-

After the death of the Rosenbergs he was approached again to

thange his testiment, Sobell spent five and a half years in Alcatraz.

1952, after he refused to admit guilt and accuse the Rosenbergs.

for hardened criminals. He had been sent there on Thanksgiving Day,

Morton Sobell received the news in Alcatraz, a prison supposedly

wile. He has a job waiting at that those assigned to department who previously

of the Joint Commission Emerican Holorow Congresgations and the Central Conference of American Rabbis, has agreed to serve as his payole advisor. Sobell's wife, his mother, and his children have stood by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits and correspondence.

non vertex productions. The New York Institute of Crim-Donal E. J. MacNamara, Dean of the New York Institute of Criminology, describes Sobell as the ideal candidate for parole under every accepted criterion. Notables from throughout the country tesevery accepted criterion, notables from throughout the country tesevery accepted in behalf of Sobell at a parole hearing and taked in Washington in behalf of Sobell at a parole hearing and rails recommended that he be allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Resemberg-Sobell case runs through the fabric of the last decade. There have been countless statements by authorities that Russian scientific capacities were worfully underestimated and Soviet development did not come from espionage. Yet two persons are buried in a grave on Long Island on the accusation that they gave Russia the atomic bomb.

Newspaper columnist Jack Scott has commented in the Vancouver Sant: "Soboll, himself, has continued to protest his innocence, altiforagin a confession, whether true or false, would lighten his starbering scatence.... I happened to be reading a booklet on the witcheraft trials in Salem, Mass., when I came across the Soboll file. One paracraph tells of 13 women and six men hanged as witches and concludes. Fifty persons confessed and were freed. The companies with the Rosenberg-Sobell case is unavoidable."

Professor Francis D. Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of American purspradence" because of fear in Washington of opening the Pandora's how of the Rosenberg-Sobell case.

A committee of eminent Americans is seeking to form an independent Commission of Inquiry that would investigate the entire case from top to bottom and render a verdict in the light of present perspective.

Meanwhile, there is a continuing urgent effort to free Morton School, terestell renewed appeals in the courts, to the parole board.

to Provident Kennedy for executive action, and to the public

3

- 1. Write to Presidenthat he free Sobell and name quiry commission into the Re.
- 2. Show to your organihering the new 16mm sound III—A Plea for Justice" (30 m)
- 3. Send a contribute mmittee at the address below is work.
- 4. Circulate this booklable material for more interall trial record can be bought Rolumes, or it can be borrowed.

SOBELL

910 Broadway. Y.

Among those who have urged Sobell's release on many grounds are:

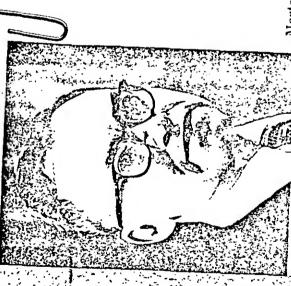
Rev. Gross W. Aiexander David Andrews Roger Baldwin Rabbi J. S. Bass Carleton Beals Helen M. Beardsley Dr. John C. Bennett Leo Berman Rabbi Samuel Bernstein Robert Bolt Rabbi Balfour Brickner Dr. Martin Buber Dr. Edmond Cahn Pablo Casals Lord Chorley Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Elizabeth, Queen Mother of Belgium Dr. Thomas I. Emerson Rev. John E. Evans James T. Farrell Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Rabbi Robert E. Goldburg Rabbi Israel Goldstein
Prof. Erwin R. Goodenough
Rev. Donald Harrington
Dr. A. Eustace Haydon
Nat Henteff Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Hurwitz Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr. William Kunstler Morris Laub Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld Doris Lessing Donal E. J. MacNamara Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe

Rev. Peter McCormack Sen. Lee Metcalf Dr. Uri Miller Gerhard O. W. Mueller Lewis Mumford Dr. Gardner Murphy Jerome Nathanson Dr. Reinhold Niebuhr Lord Boyd Orr
Prof. Victor Paschkis
Or. Linus Pauling
Dr. Bryden Linsley Phelps Clarence E. Pickett Prof. Dale Pontius Br. Luis Sanchez Ponton Rabbi Emanuel Rackman Howard B. Radest Paul Ramsey
Prof. Anatol Rapaport
Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Jean-Paul Sartre Prof. Malcolm Sharp
Dr. D. R. Sharpe
Alan Sillitoe
Sydney Silverman, M.P.
Harvey Swados
Norman Thomas Norman Thomas Rev. Francis S. Tucker Kenneth Tynan
Dr. Harold C. Urey
Mrs. Clara M. Vincent
Rowland Watts Rabbi Jacob J. Weinstein Rabbi Jacob J. Weinstein
Arnold Wesker
Dr. Daniel Day Williams
Prof. Francis D. Wormuth
Belgian League for Rights for Man
Christian Century
The Nation Magazine
The New Republic
The New York Post
The Progressive The Progressive Social Action Commission of the Union of American Hebrew Congregations
Thirty Members of Parliament, Britain Women's International League for . Peace and Freedom 1500 American Clergymen

For further information write:

SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y.

Tabling and the property of th The Facts in the Rosenberg-Sobell Case 1950-1963









Historians now call it the cra of McCarthyism. It was a time of fear and suspicion.

Our nation had been assured the atomic bomb would remain an American monopoly for years to come. When Russia unexpectedly exploded a bomb in 1949, "they stale it from us" was the panicky national response and a search for spics was on.

But Time Magazine commented on Jan. 2, 1950;

U.S. started its atom bomb project . . . The basic 'secrets' were already in their files. Until this week the Russian papers have "For the last decade, there has been no 'atom-bomb secret' which Russian spics needed to steal. This fact has been asserted week the A.E.C.'s files yielded documentary proof: Russian scientific papers on the project, published in 1940, before the been known to few. If the facts they contain had been properly publicized, a lot of spy chasing and pointless orating might have again and again by the Atomic Energy Commission . . . Last

responsible for Russia having the bomb. His wife was arrested a blared the arrest of Julius Rosenberg as the "atom spy" who was Suddenly the cause of Russia's A-homb was said to be discovered by those still insisting it was espionage. Headlines in July, 1950, short while later. In August, Morton Sobell was added as another "atom spy" even though the trial judge was later to say that Sobell was not connected with the atomic project. The Rosenbergs and Sobell swore their innocence, Sobell was pressured to become an It was only when he still insisted on his innocence that his name conversations which he allogedly had with Julius Rosenberg, These accusing witness while the question of a trial for him was delayed. conversations were not to be mentioned at the trial, was listed as a defendant. T

and been an engineer and at the time of his arrest had his own he Rosenbergs were a New York-born couple, Julius Rosenberg

arrest. He and his wife, Helen, have a son, Mark, now 14, and by and an evening instructor at Brooklyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his Morton Schell,* who grew up in the Bronx, was a radar specialist machine shop. The couple had two sons,

Morton Sobell and Julius Rosenberg had known each other at the Mrs. Sobell's previous marriage, a daughter, Sydney. City College of New York.

Roy Cohn, later to become Senator McCarthy's chief assistant. Cohn was discredited in the Army-McCarthy hearings in 1954 when it A key prosecutor, along with Irving Saypol and Myles Lane, was was proven that he doctored a photograph presented in evidence.

The gap between the headlines and the facts was wide. Neither he Rosenbergs nor Sobell were charged with espionage or treason. The charge was "conspiracy to commit" espionage. The disference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

Established

In opposition to the defendants' plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimeny of government witnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

did not claim to have stolen any documents or photographed any brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, papers. He told a tale of having eavesdropped on scientists and from The chief witness against the Rosenbergs was David Greenglass,

"Morton Sided is not related to the brothers, Dr. Robert Soblen and Jack Soble, who

Ign Polytech, Dr. Harold C. Urey, Nobel prize atomic scientist who studied the record subsequently and found "patently perjured" prosecution testimony, asserted; "Though the information supposed to have been transmitted could have been important, a man of Greenglass's capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the atomic bomb to anyone." Greenglass was senteured to 15 years imprisonment but is now free after their conversation drawing diagrams giving atomic secrets. On crossexamination be admitted having failed his science courses at Brookbaying been released at the end of 1960.

Of Greenglass's testimony, the U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."

The state of the state of the state of

to death." The judge told the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit Blitcher, admitting previous perjury, testified that he was "scared Only one witness, Max Elitcher, accused Sobell of any involvement. the defendant Sobell."

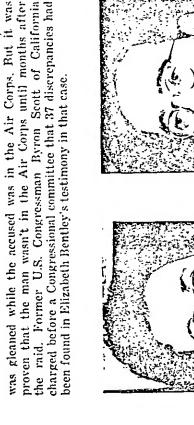
thought the FBI was following him, took a 55mm film can resutence never specified) to Julius Rosenberg. Elitcher did not claim he saw material. He told the jury that Sobell, although he supposedly Sobell give anything to Rosenberg. Elitcher has never been prosecuted for his confessed perjury, but has been helped to find employ-Elitcher did not claim Sobell ever passed or received any secret ment, as a reward for his testimony.

Sobell's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the witness stand. Sobell, wanting to take the stand, reluctantly bowed to their legal opinion.

he obtained by cavesdropping on scientists. In a later trial, a man sion of having lived such a life of lies "it is a wonder that steam Sobell, But Gold, already under a 30 years sentence, described himwhom Gold accused went free after the court heard Gold's admislarry Gold never claimed to have known the Rosenbergs and self as the man to whom Greenglass gave the atomic data he said didn't come out of my cars," Gold is still in prison. であるかできることできるとうできますとうないなっていることである

Rosenbergs or Sobell but added color with testimony on espionage methods. She was subsequently discredited in other proceedings, For example, she once accused a man of having supplied the Russians Elizabeth Bentley, who had become a frequent witness at the trials and Congressional hearings of the day, didn't claim to know the with advance information about Dockttle's raid on Tokyo which







Ethel Rôsenberg

Julius Rosenberg

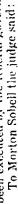


The verdict was "guilty." Dr. Harold C. Urey has said:
"This jury reas hearing this trial in the midst of the McCarthy
hysteria during the Korean War when people were very much
upset about these things and it would seem to me very difficult
for any member of this jury to have gone home after voting for
acquittal and retained his job or his position in his community."

Judge Irving Kaufman, expressing the hysteria of the time, intoned against the Rosenbergs: ". . I believe your conduct in putting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the bomb has already caused, in my opinion, the Communist aggression in Korea, with the resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason. Indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country."

history to the disadvantage of our country.

He condemned them to death. Nobody had ever been executed for espionage in the United States during peacetime. No woman had been executed by the federal government since 1865.



To Morton Sobell the judge said: "The cridence in the case did not point to any activity on your part in connection with the atomic bomb project."

your part in connection with the atomic bomb project." He condenned Sobell to 30 years, and recommended against



Since the trial the following new evidence has been presented in

- Memoranda of David Greenglass's lawyers revealing that Greenglass, according to documents in his own handwriting, told conflicting stories; that Greenglass's wife confided that her bushand was an habitual liar who had fits of hysteria and ran nude through hallways shouting incoherencies; and memoranda indicating that a deal was made with the prosecution to lighten Greenglass's punishment in exchange for his testimony.
- Proof that a console table the Rosenbergs owned was an ordinary,
 inexpensive table bought in Macy's as they had testified. The proseeution had claimed the table, not produced in court, was an expensive
 gift from the Russians hollowed out for secret microflm work.
- Proof that the prosecution brought a passport photographer to court secretly to observe the Rosenbergs. Later, on the stand, be claimed he was identifying them upon seeing them for the first time in court.
- Proof that Morton Sobell was kidnapped from Mexico at the instigation of the prosecution, and that at the trial the prosecution claimed fraudulently that the Mexican government had deported Sobell, thus giving the court the impression that Sobell was a fugitive. The new evidence showed that the Mexican government not only did not deport Sobell, but took action to see that its laws were not violated by an international kidnapping.
 - Proof that Sobell and his family went to Mexico in a normal manner with proper tourist cards and air tickets, and in their own name. Sobell, as a scientist and teacher with left-wing views, has admitted that hysteria in the United States frightened him, and while in Mexico on vacation he thought of living abroad. He made inquiries under other names for passage to France and Israel. But he lived openly in Mexico City under his own name where he could be reached readily, and not as a fugitive.

NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN A HEARING IN COURT. Each time, the prosecution has managed to avoid a hearing on the merits.

THE CONTRACTOR OF THE CONTRACT

Beforders of the Rosenberg-Sobell verdiet often claim that the Supreme Court has reviewed the case many times and found nothing wrong. The fact is, as Justice Black has stated, "This Court has never reviewed this record and has never affirmed the fairness of the trial below." The Supreme Court has emphasized that refusal to review a case in no way judges its merits. Further, appeals are limited to legal points, not the question of innocence or guilt or which witness was telling the truth.

One judge of the U.S. Court of Appeals, the late Jecome Frank.

voted for a new Sobell trial in a dissenting opinion holding that Sobell's case should have been considered separately from that of the Rosenbergs.



"Wholly reprehensible" was the expression the U.S. Court of Appeals used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said that if the defense had raised the question sconer, a mistrial should have been declared.

Recent court decisions have emphasized other prosecution unfairness. The prosecution repeatedly implied to the jury that Ethel Rosenberg's answers at the trial could not be believed because she had pleaded the 5th Amendment to the same questions previously before a Grand Jury. Supreme Court rulings in other cases since the execution have branded such tactics as unfair and illegal.

On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that under today's interpretation of the law the trial of Ethel and Julius Rosenberg and Morton Sobell would have been considered unfair. But the court said it is too late for Sobell to raise the point. Jegally speaking, the Appeals Court said, it would not be too late for Ethel Rosenberg, if she were alive, to raise the point.

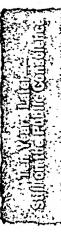


The furor that the Rosenberg-Sobell trial unleashed has been paralleled only by such cases as the Mooney-Billings and Succo-Vanzetti cases in the United States and the Dreyfus case abroad. There were public meetings and demonstrations, debutes in the press, thousands marching before the White House, and pleas pouring in from throughout the world. Pope Pius XII, the President of France, and Albert Einstein were among those who intervened for elemency.

A logal battle raged until the last moment, Justice Douglas granted a stay of execution, braving later moves for his impeachment. The Supreme Court had adjourned for the summer, but it was called back into unprecedented session to overrule Justice Bouglas 6-3 while the executioner stood by in Sing Sing prison. A few hours later, on June 19, 1953, with the execution moved ahead until just before sundown to avoid having it occur on the Jewish Sabbath, Julius and Ethel Rosenberg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death chamber with the offer to spare them if they would admit guilt.

Morton Sobell received the news in Alcatraz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, 1952, after he refused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to change his testimony. Sobell spent five and a half years in Alcatraz.

where his wife could only see him through a pane of glass and talk through a telephone when she visted him. Widespread public protests against this treatment as being vindictive resulted in his transfer to Atlanta, Federal Penitentiary, where he is now held.



WHAT IN THUS CONTINUE

ولا الجماعية عا التاسيمية في المرافظاتين يدويشلانهم المنطاعة فيواز

The list of those urging Sobell's release has grown each year. It includes eminent persons of many viewpoints the world over (see partial listing on page 10.) There are appeals by those who question the fairness of the trial, by those who believe the Rosenbergs and Sobell innocent, by those who say the Rosenbergs were guilty but Sobell is innocent, and even by those who accept. Sobell's guilty but regard the 30-year sentence as excessive and believe he should now be released.

A special independent study was made by a noted group including Edmond Cahn, professor of law at New York University, and Yor Reinhold, Niebuhr of the Union Theological Seminary. The panel of inquiry called the case against Sobell "vague in content and slender in proof" and recommended a commutation of sentence.

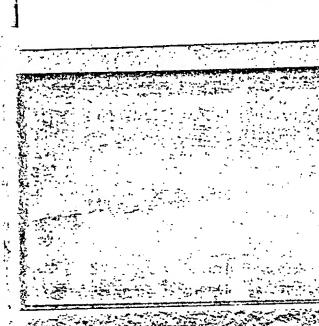
The state of the s

Before his election as President, then Senator John F. Kennedy had his aides meet with persons appealing for Sobell and gave every impression of planning action in his behalf. After the election, Presidential spokesmen in the White House were still optimistic about favorable action. A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to the study were the same holdovers in the department who previously had the responsibility of defending the verdict and the execution of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.

Structure of Miles

Morton Soledl is officially eligible for parole, He has a job waiting for him, Rabbi Balfour Brickner, director of the Joint Commission on Interfaith Activities of the Union of American Heierew Congre-



gations and the Central Conference of American Rabbis, has agreed to serve as his parole advisor. Sobell's wife, his mother, and his children have stood by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits

7

and correspondence.

Donal E. J. MacNamara, Dean of the New York Institute of Criminology, describes Sobell as the ideal candidate for parole under inclogy, describes Sobell as from throughout the country tesevery accepted criterion. Notables from throughout the country tesevery accepted criterion. Sobble at a parole hearing and tified in Washington in behalf of Sobell at a parole hearing and recommended that he be allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Rosenberg-Sobell case runs through the fabric of the last decade. There have been countless statements by authorities that Russian scientific capacities were woefully underestimated and Soviet development did not come from espionage. Yet two persons are buried in a grave on Long Island on the accusation that they gave Russia the atomic bomb.

Newspaper columnist Jack Scott has commented in the Vancouver Newspaper columnist Jack Scott has continued to protest his innocence. Sun: "Sobell, himself, has continued to protest his innocence, although a confession, whether true or false, would lighten his staggering sentence... I happened to be reading a booklet on the gering sentence... I happened to be reading a booklet on the witchcraft trials in Salem, Mass., when I came across the Sobell file, witchcraft trials in Salem, Mass., when I came abunged as witches One paragraph tells of 13 women and six men bunged as witches and concludes, 'Fifty persons confessed and were freed.' The comparison with the Rosenberg-Sobell case is unavoidable."



Professor Francis D. Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of ity on Constitutional law, calls Gobell "the man in the iron mask of American jurisprudence" because of fear in Washington of opening American jurisprudence" because of Scholl gran

the Pandora's box of the Rosenberg-Sobell case.

A committee of eminent Americans is seeking to form an independent Commission of Inquiry that would investigate the entire case from top to bottom and render a verdict in the light of present

perspective.

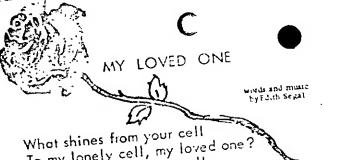
Meanwhile, there is a continuing urgent effort to free Morton Soliell through renewed appeals in the courts, to the parole board, to President Kennedy for executive action, and to the public



- Write to President Kennedy urging that he free Sobell and name an independent inquiry commission into the Rosenberg-Sobell case.
- 2. Show to your organization or home gathering the new 16mm sound film "Morton Sobell—A Plea for Justice" (30 minutes).
- 3. Send a contribution to the Sobell Committee at the address below to help carry on its work.
- Girculate this booklet and other available material for more intensive study. The full trial record can be bought for \$6 per set of 8 volumes, or it can be borrowed.

SOBELL COMMITTEE

910 Broadway, New York 10, N.Y. Al, 4.9983 Among those who have urged Sobell's release on many group are: Sen. Lee Metcalf Dr. Uri Miller Rev. Gross W. Alexander David Andrews Roger Baldwin Rabbi J. S. Bass Gerhard O. W. Mueller Lewis Mumford Dr. Gardner Murphy Jerome Nathanson Carleton Beals Helen M. Beardsley Dr. Reinhold Niebuhr Dr. John C. Bennett ur. Reinnoid Medunit
Lord Boyd Orr
Prof. Victor Paschkis
Dr. Linus Pauling
Dr. Dryden Linsley Phelps
Clarence E. Pickett Leo Berman Rabbi Samuel Bernstein Robert Bolt Rabbi Balfour Brickner Dr. Martin Buber Br. Edmond Cahn Prof. Dale Pontius Dr. Luis Sanchez Ponton Rabbi Emanuel Rackman Pablo Casals Lord Chorley Howard B. Radest Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Paul Ramsey Prof. Anatol Rapaport Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Elizabeth, Queen Mother of Belgium Dr. Thomas I. Emerson
Rev. John E. Evans
James T. Farrell
Rabbi Morris Fishman
Rev. Kenneth Ripley Forbes lean-Paul Sartre
Prof. Malcolm Sharp
Dr. D. R. Sharpe
Alan Sillitoe Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Sydney Silverman, M.P. Harvey Swados Norman Thomas Maxwell Geismar Rabbi Robert E. Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Rev. Francis S. Tucker Key, Francis S. Lucker
Kenneth Tynan
Dr. Harold C. Urey
Mrs. Clara M. Vincent
Rowland Watts
Rabbi Jacob J. Weinstein Rev. Donald Harrington Dr. A. Eustace Haydon Nat Hentoff Arnold Wesker
Dr. Daniel Day Williams
Prof. Francis D. Wormuth
Belgian League for Rights for Man Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Hurwitz Rev. John Paul Jones Christian Century The Nation Magazine Rev. Joseph P. King Rev. Martin Luther King, Jr. The New Republic
The New York Post William Kunstler Morris Laub Dr. Paul L. Lehmann The Progressive Social Action Commission of the Rabbi Arthur J. Lelyveld Union of American Hebrew Doris Lessing
Donal E. J. MacNamara
Daniel G. Marshall Congregations
Thirty Members of Parliament, Britain
Women's International League for
Peace and Freedom
1500 American Clergymen Dr. Leo Mayer Milton Mayer Louis F. McCabe For further information write: SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y. · 拉亚山流海岛



To my lonely cell, my loved one?
What shines from your cell To my lonely cell, my loved one? Your eyes like bright stars Shining through prison bars, Your eyes like bright stars, my loved one.

Oh if I could bring Oh what would I bring my loved one? Oh if I could bring Oh what would I bring my loved one? I'd bring a red rose And my heart I'd enclose, I'd bring a red rose, my loved one.

And if I could speak Oh what would I say, my loved one? And if I could speak Oh what would I say, my loved one? I'd say "I love you Our love's old, our love's new," I'd say "I love you," my loved one.

And if we could sing Of what would we sing, my loved one? And if we could sing Of what would we sing, my loved one? We'd sing of the light That comes out of dark night, We'd sing of the light, my loved one.

Will our children laugh, Will we hear them laugh, my loved one? Will our children laugh, Will we hear them laugh, my loved one? We know it will be For the people and we Will fight till we're free, my loved one.

Copyright 1953 by Edith Segal

Committee to Secure Justles for Morton Sobell 940 Broadway, New York 10, N.Y.





IF WE DIE

by Ethel Rosenberg

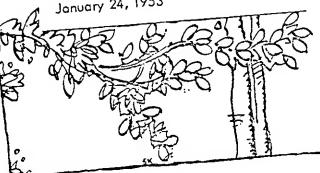
You shall know, my sons, shall know why we leave the song unsung, the book unread, the work undone to rest beneath the sod.

Mourn no more, my sons, no more why the lies and smears were framed, the tears we shed, the hurt we bore to all shall be proclaimed.

Earth shall smile, my sons, shall smile and green above our resting place, the killing end, the world rejoice in brotherhood and peace.

Work and build, my sons, and build a monument to love and joy, to human worth, to faith we kept for you, my sons, for you.

Ossining, N.Y. January 24, 1953





THIRTY YEARS

Thirty years, a time for living,
Thirty years, a time to die,
Thirty years, the judge pronounced it,
Innocent, I swear, am 1!

Thirty years, my life, my manhood, Seized, uprooted, cast away By the mighty robed in falsehood, By the bigots of the day.

Listen all who walk in freedom, Listen all who treasure time, Listen all who've tasted terror, What is justice, what is crime?

Shall I languish here forgotten On the perjured word of one Or will valiant men and women Cry for justice to be done?

Ten gone years lie cold and fallow, Twenty more? It cannot be! Voices rise and high walls crumble, Days of home again I see!

I'll return to you dear children, Brave, sweet mother, sterling wife, We will welcome Spring together, We'll retrieve our stolen life.

Oh to walk among the people, Clasp their hands, their faces see In the sunlight, working, singing, Soon, oh soon I must be free!

Oh to walk among the people, Clasp their hands, their faces see, Voices rise and high walls crumble, Days of home again I see, Soon, oh soon I must be free! PLEASE DO

We, the victime of the hysteria of our time, the scapegozts of the prejudi VOICE of our day, the martyrs of the miscarriage of justice, speak to yet from the grave to reaffirm our innecence. We are innecent. Innecent, innocent, innocent.

During a demonstration for an eight hour working day in Haymarket Square, VOIGE: Chicago, on May 4, 1886, a bomb exploded. Eight anarrohist leaders were tried, but no evidence was produced that they had made or thrown the bond. They were, however, convicted of inciting violence. Four were hanged, one committed suicide, and the remaining three, after having served in prison for seven years, were pardened in 1893 by John P. Altgold, governor of Illinois, on the ground that

August Spies and Albert R. Parsons, two of the Naymarket martyre remain to an element

"... "Now these are my ideas. They constitute a part of myself. I conthe grave. not divest myself of them, nor would I, if I could. And if you think that you can SPIES: orush cut these ideas that are gaining ground nore and more every day ... if you would once more have people suffer the penalty of death because they have derod to tell the truth - you are doing wrong.

ALBERT R. PARSONS

PARSONS: "The charge is made that we are "foreigners", as though it were a oring VOICE : to be form in some other country.... Hy ancesters had a hand in drawing up and maintaining the Declara tion of Independence. My great grand-uncle with Washing! at Brandysine. Monmonth and Valley Porgs. I have been here long enough, I think, to have the rights guaranteed, at least in the Constitution of the country."

I say, if death is the penalty for proclaiming the truth, then I mill SPIND: proudly and defiantly pay the coatly price: Call your hangman: Truth crucified - they and others whose number is legion have proceded on this path. We are ready to follow."

PARSONS

かいとうとの「日本は大」のはいれているというというだって

"The sentence will be executed and I will die upon the scaffold an innocent man. Future generations will not judge me and my comrades as merderers." For I am innocent... In the name of the American people I demand my inalienable right to liberty."

"Will I be allowed to speak, O men of America: - Let me speak, Sheriff Matson: - 0 men of America, let the voice of the people be heard: 0..." That last sentence was cut off by the hangman's noose. AOICE

Innocent, innocent innocent. ALL

On July 22, 1916 during the preparadness Day Parade in San Francisco, VCICE_ a bomb exploded, the work of a provacateur. The government hunted down and arrested four leaders of the labor movement, Thomas Mooney, Mrs. Rena Mooney, Warren Eillings and Israel Weinberg, charging them with murder. Pillings was sentenced to life imprisonment and Tom Mooney to death. On November 28, 1918, as a result of great meetings and demonstrations and the threat of a general strike, the Governor of California commuted the death sentence to life imprisonment. In January 1939 Governor Clsen of California pardoned Tom Mooney unconditionally.

TOM MOONEY:

I am under sentence of death. Whatever may be the legal equivecation, the crime of which I have actually been convicted is not that of having thrown a bomb into a throng of innocent people, which included my wife's brother-in-law to whom we are both tenderly attached, but that of having striven with what strength I had for the alleviation of the industrial wrongs that labor has suffered and the establishment of the rights which naturally belong

to labor. I do not believe— I carnot believe— that because I have thus advaned to the duty and expressed the simple privilege of a human being, I must meet doubt on the gallows. But so deeply imbedded in the hearts of the people is the desire of justice that it must inevitably find expression in a court of review. In that faith I am content.

All : Innecent, innecent, innocent.

In the "red" hysteric of 1919-1920, Nicola Sacco and Eartolomeo Vanzetti, together with thousands of fireign-born morkers were arrested as "dangerous to the peace and prosperity of the United States." Sacco and Vanzetti were framed and convicted for murder despite discredited evidence and a great public outery and executed on August 22, 1927.

These are their words from their last latters.

EARLY ROUNC VALLE FIE TO DO TO SACCO

nel, but one of the bravest mon I ever know.

Remember Dente, each one who will say otherwise of your father and I, is a liar, insulting innocent dead men who have been brave in their life. Remember and know also, Dante, that if your father and I would have been cowards and hypocrits and ringegotors of our faith, we would not have been put to death. They would not even had convicted a lebbrous dog; not even executed a deadly poisoned scorpion on such evidence as that they framed against us. They would have given a new trial to a matricide and abitual felon on the evidence we presented for a new trial.

hemember, Dante, remember always these things; we are not erinicals; they convicted us on a frame-up; they denied us a new trial; and if we will be executed after seven years, four menths and seventeen days of unspeakable tertures and wrong, it is for what I have already told you; because we were for the poor and against the exploitation and oppression of the man by the man.

The day will come when you will understand the atrocious cause of the atroce written words, in all its fullness. Then you will honor us.

Now, Dante, he brows and reed always. I ordrace ou. Earthold

VOICE: SACOE TO BES SC. MO COMMAND . TIMES. -

SA CCC: Since the day I cam you last I had always the idea to write you this 1. tter, but the length of my hunger strike and the thought I might not be able to explain myself made me put it off all this time. Fowever, I want to get it dome in any may before they take us again to the death-house.

.... but don't dry, Dants, because many tears have been wasted, a s year mother's have been wasted for seven years, and never did any good. So, Son, instead of arying, to strong, so as to be able to comfort your mother, and when you must to distract your wether from the disconneging sculpess, I will tell you what I use to do. To take her for a long walk in the quiet country, gathering mild flowers hor wand there, resting under the shade of trees, botween the harmony of the vivid stream and the gentle tranquility of the mother nature, and I am sure that she will erfort is very much, as you surely would to happy for it. But remember always, Davie, in the play of he timess, don't you use all for yourself only, but dom yourself just one stop, at your side and help the week ones that cry for help, help, the prosecuted and the victim, because they are your better friends; they are the commades that fithe and fell as your father and Partelo fought and fell yesterday for the conquest of the joy and freedom for all and the poor workers. In this struggle of life, you will find more love and you will be loved.

Yes, Dante, they can crucify our bodies to-day as they are dains, but they cannot destroy our ideas, that will r main for theyouth of the future to come.

Ald; Inspect, Impount., Impount.

(MERVIII.) During the McCarthy era, time of fear and suspicion, in July 1950, Julius Roscoberg was arrested as an "atom spy" was wife Ethel was arrested a short while later. Again, as in the other frame-ups, through hysteria, perjured testimeny and the most reprehensible prosecution testion, the immocent coupl were railroaded to their death. On June 19, 1953, a day of shame for American justice, Ethel and Julius Rosenberg were executed - - - LISTE .

-ETREL.

J ULIUS .

Yotsterday we were offered a deal by the Attorney General of the United States. We were told that if we cooperated with the government, our lives would be spared...By asking us to repudiate the truth of our innot the Government admits its own doubts concerning our guilt. We will not be to purify the foul record of a fraudulent conviction and a barbaric sente we solemnly declare, now and forever more, that we will not be cocreed even under pain of death, to bear false witness and to yield up totyrann our rights as free Americans...Our respect for truth, conscience and human dignity is not for sale. Justice is not some bauble to be sold to the highest bidder. If we are executed, it will be murder of innocent people and the shame will be upon the Government of the United States. History will record, whether we live or not, that we were victims of the most monstrous frame up in the history of our country.

ETHEL

You shall know, my sons,
Shall know why we leave the song unsung,
The book unread, the work undone
to rest beneath the sod,

More, know more, my sons,

Kow more why the lies and smears were framed,

The tears we shed, the hurt we bore

To all shall be proclaimed.

kini.i.

You shall know, my sons,
Shall know why we leave the song washing,
The book waread, the work undone
To rost beneath the sod.

Hore, know more, my sons,

Know more why the lies and smea re were fraued,

The tears we shed, the hort we bere

To all shall be proclaimed.

Sarth shall smile, my sons,

Shall smile, and green above our resting place,

The killing ends, the world rejoice

In brotherhood and psace.

Work and baild, my sens,

And build a monument to love and joy,

To buman worth, to faith we kept for you,

My sens, for you.

ALL: DINCOTAT INFOCINT INFOCINT

4

Morton S obell, a scientist, in his 13th year of imprisonment, still fighting to prove his innocence, writes from his prison cell.

the children? Nothing different from what most parents want. That they should grow up in a world at peace, in a land without fear, hysteria or discrimination. I always hoped that they would grow up una fria id to give voice to their ideas, even if they should be unpopular ones. I am not brave or heroic, but with every barb they aim at me I can feel my inner strength grow. I am innocent. I must walk free. And with your devotion, and spirit, my love, I must not fail, and with so many people working for my vindication I will not. Even with my limited means of informationI feel through your letters the sea of human energy which swells around us which holds us up and does not let us fall to destruction...

There are worse things than facing death when you are innocent and when your cause is just. It is far worse to face the death of your beloved, your children orphaned. Not one bit of this was spared Ethel and Julius Rosenberg. That they did not break under this heavy load gives a new meaning to human dignity. They held their innocence tenderly knowing its worth for themselves, their children, and their children must live with his name, and what it means, after his time. And it is so simple. There is no slightly soiled dirt. All dirt is dirty. There is no more beyond this.

"I AM INHOCENT" "I charge I have been unjustly accused, unjustly tried, unjustly sentenced and unjustly imprisoned these many long years.

ALL INNOCENT, INNOCENT INNOCENT.

VOICE

We who are the victims—tell of our time in each generation, the scapeoats of the prejudice of our day, the martyrs of the miscarriage of justice, speak to you from the grave to reaffirm our innocence. We are innocent, innocent, innocent, innocent, innocent,

During a demonstration for an eight hour working day in Haymarket Square, Chicago, on May 4, 1886, a bomb exploded.

Eight anarchist leaders were tried, but no evidence was produced that they had made or thrown the bomb. They were, however, convicted of inciting violence. Four were hanged, one committed suicide, and the remaining three, after having served in prison for seven years, were pardoned in 1893 by John P. Altgeld, governor of Illinois, on the ground that the trial had been unjust.

AUGUST SPIES (Spies)

myself. I cannot divest myself of them, nor would I, if I could. And if you think that you can crush out these ideas that are gaining ground more and more every day...if you would once more have people suffer the penalty of death because they have dared to tell the truth.

ALBERT R. PARSON

The charge is made that we are 'foreigners', as though in usere a crime to be born in some other country....My ancestors had a hand in drawing up and maintaining the Declaration of Independence. My great great grand-uncle lost a hand at the Battle of Bunker Hill., I had a great grand-uncle with Washington at Brandywine, Monmouth and Valley Forge. I have been here long enough, I think, to have rights guaranteed, at least in the Constitution of the country."

SPIES

I say, if death is the penalty for proclaiming the truth, then I will proudly and defiantly pay the costly price! Call your hangman! Truth crucified in Socrates, in Christ, in Giordano Bruno, in Huss, in Galileo, still lives, -- they and others whose number is legion have preceded us on this path. We are ready to follow!"

45. P. . . .

In the "Thysteria of 1 19-1920, halla Sacco and Eartolomeo Tangetti, together with thousands of foreign-born workers were arrested as "danger us to the peace and presperity of the United States". Sacco and Vanzetti were framed and convicted for murder despite discredited evidence and a great public outcry and executed on August 22, 1927. These are their words from their last letters.

SACCO TO HIS USON AND COMPANIONU, DANTE -

Since the day I saw you last I had always the idea to write you this letter, but the length of my hunger strike and the thought I might not be able to explain myself made me put it off all this time. However, I want to get it down in any way before they take us again to the death-house.

.... but don't cry, Dante, because many tears have been wasted, as your mother's have been wasted for seven years, and never did any good. So, Son, instead of crying, be strong, so as to be tiple to comfort your mother, and when you want to distract your mother from the discouraging soulness, I will tell you what I used To take her for a long walk in the quiet country, gathering wild flowers here and there, resting under the shade of trees, between the harmony of the vivid stream and the gentle tranquility of the mother nature, and I am sure that she will enjoy this very much, as you surely would be happy for it. But remember always, Dante, in the play of happiness, don't you use all for yourself only, but down yourself just one step, at your side and help the weak ones that cry for help, help the prosecuted and the victim, because they are your better friends; they are the comrades that fight and fall as your father and Bartelo fought and fell yesterday for the conquest of the joy of freedom for all and the poor workers. In this struggle of life you will find more love and you will be loved.

.....Yes, Dante, they can crucify our bodies today as they are doing, but they cannot destroy our ideas, that will remain for the youth of the future to come.

But, if you do well, you will grow and understand your father's and my principles, for which we will soon be put to death.

I tell you now that all that I know of your father, he is not a criminal, but one of the bravest men I ever knew.

Remember Dante, each one who will say otherwise of your father and I, is a liar, insulting innocent dead men who have been brave in their life. Remember and know also, Dante, that if your father and I would have been cowards and hypocrits and rinnegetors of our faith, we would not have been put to death. They would not even had convicted a lebbrous dog; not even executed a deadly poisoned scorpion on such evidence as that they framed against us. They would have given a new trial to a matricide and abitual felon on the evidence we presented for a new trial.

Remember, Dante, remember always these things; we are not criminals; they convicted us on a frame-up; they denied us a new trial; and if we will be executed after seven years, four months . and seventeen days of unspeakable tortures and wrong, it is for what I have already told you; because we were for the poor and against the exploitation and oppression of the man by the man.

The day will come when you will understand the atrocious cause of the above written words, in all its fullness. Then you will honor us.

Now, Dante, be brave and good always, I embrace you. Barthe

T950, Julius Rosen org was arrested as an "ato spy" and his dife,
Ethel, a short while later. Again, as in the other frame-ups, through
hysteria, perjured testimony and the most reprehensible prosecution
tactics, the innocent couple were railroaded to their death. One June
19, 1953, a day of shame for American justice, Ethel and Julius
Rosenberg were executed.

Listen! " ...

"They are trying to make haste in putting us to death before the court of public opinion gives its inswer, protesting this political frame-up"

"Before God and man! must blazon forth these truths:

1. We are completely innocent. Nothing can change this. 2. A monstroughtene-up for political purposes has taken place in the Rosenberg case.

The judge and the district attorney from the very beginning injected the false issue of communism and political beliefs to obscure the issue and inflame the passions of the jury against us.

The judge strained every effort to bend the jury to a verdict of guilty with his constant interjections against our interest

The judge strained every ellor to tend the judy verdict of guilty with his constant interjections against our interest at every stage that was to our advantage. He allowed our rights to be violated and presented our lawyer from adequately defending us and the not allow the judy to judge the crime, as charged in the indictment, fair and impartial basis.

As for us, we are confident of the righteousness of our cause and we will not allow ourselves to be used as tools against the fight for peace, freedom and decency.

.... There are but ten more days to live.

morning it looked like we might be ther again after all.

That this cannot be, I want so much for you to know all that

come to know. Unfortunately, I may write only a few simple to

the rest your own lives must teach you, even as mine taught to

At first, of course, you will grieve bitterly for u.

At first, of course, you will go you will not grieve alone. Be comforted that even now, with and of ours slowly approaching, that we know this with a conwhat defeats the executioner:

Your lives must teach you, too, that good cannot re liverish in the midst of evil; that freedom and all the thin make up a truly satisfying and worthwhile life, must seemly on after us.

Be comforted, then, that we were carry on after us.

We wish we might have had the tremendous joy and gr fication of living our lives out with you. Your Daddy who is me in the last momentous hours, sends his heart and all the l that is in it for his dearest boys. Always remember that we mind the could not wrong our conscience.

Lovingly, Daddy and Mommy with all our strength.

"Yesterday, we were offered a deal by the Attorney Gener of the United States. We were told that if we cooperated with the By act.

By asking us to repudiate the truth of our innocence, the Covernment admits its own doubts concerning our guilt. We will no lielp to purify the foul record of a fraudulent conviction and a barries sentence.

We solemnly declare, now and forever more, that we will not be coerced, even under pain of death, to bear false witness and Uur respect for the coerced as free Americans.

Our respect for truth, conscience and human dignity is not badder.

If we are executed, it will be murder of innocent people and the shame will be upon the Government of the United States.

History will record, whether we live or not, that we were victims of the most monstrous frame-up in the history of our country.

ETHEL CO

You shall know, my sons, shall know why we leave the song unsung, The book unread, the work undone To rest beneath the sod,

More, know more, my sons,
Anow more why the lies and smears were framed,
The tears we shed, the hurt we bore
To all shall be proclaimed.

Earth shall smile, my sons,

Shall smile, and green above our resting place,

The killing ends, the world rejoice

In brotherhood and peace.

Nork and build, my sons,
and build a monument to love and jey,
To human worth, to faith we kept for you,
My sons, for you.

March.

Merten Sobel a scientist in his 13th year of imprionment, still fighting to prove his innocence, writes from his prison cell.

M. OR TON I think of my children constantly. What did I want for the children? Nothing different from what nost parents want. That they should grow up in a world at peace, in a land without fear, hysteria or discrimination. I always hoped that they would grow up una fraa id to give voice to their ideas, even if they should be unpopular ones. I am not brave or heroic, but with every barb they aim at me I can feel my inner strength grow. I am innocent.

I must walk free. And with your devetion, and spirit, my love,

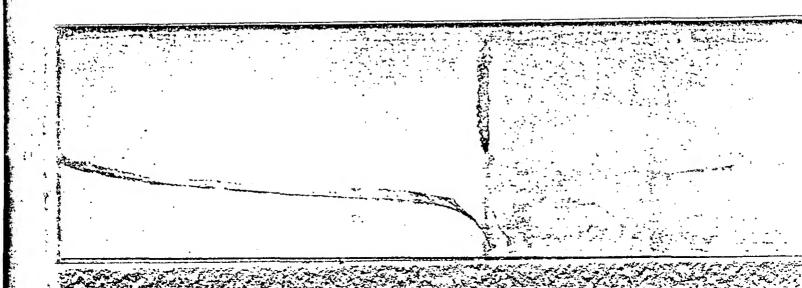
I must not fail, and with so many people working for my vindication

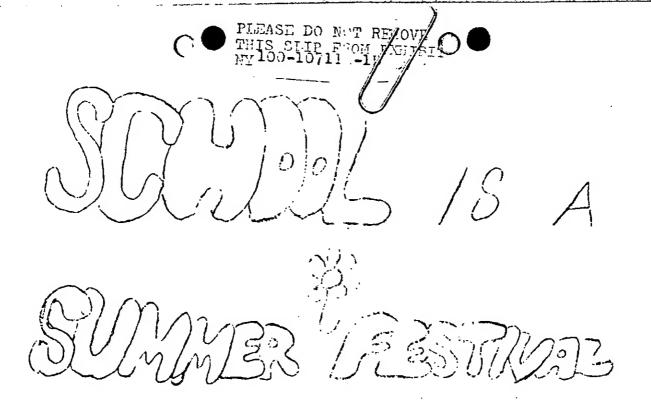
I will not. Even with my limited means of informationI feel through your letters the sea of human energy which swells around us we hich holds us up and does not let us fall to destruction...

There are worse things t an facing death when you are innocent a no when your cause is just. It is far worse to face the
death of your beloved, your children orghaned. Not one bit of this
w a s spared Ethel and Julius Rosenberg. That they did not break
und er this heavy load gives a new meaning to human dignity. They
he ld their innocence tenderly knowing its worth for themselves,
their children, and their children must live with his name, and what
it means, after his time. And it is so simple. There is no slightly
s ciled dirt. All dirt is dirty. There is no more beyond this.

"I AM IMMOCENT" "I charge I have been unjustly accus e d, unjustly tried, unjustly sentenced and unjustly imprisoned these many long years.

ALL INNOCENT, IMMOCENT INNOCENT.





. . USE THE SULDER FOR STUDY AT THE NEW YORK SCHOOL FOR MARKIST STUDIES.

IWO SURBER TERMS: July 8 to 18 August 5 to 15

JULY TERM:

Dr. Herbert Aptheker on THE NEGRO LIBERATION MOVEMENT TODAY, July 9, 11, 16, 18.

Betty Gannett on THE U.S.: STATE MONOPOLY CAPITALISM OR "PEOPLE'S CAPITALISM"?

— July 8, 10, 15, 17.

Sidney Finkelstein on THE EXISTENTIALIST INFLUENCE ON LITERATURE—A MARXIST VIEW — July 9, 11, 16, 18.

Br. Hyman Lumer on AUTOMATION: ITS ECONOMIC AND SOCIAL CONSEQUENCES

— July 8, 10, 15, 17

John Edwards teaching INTRODUCTION TO MARKISH-LENINISH, July 8, 10, 15, 17.

and . . . ANNOUNCING A NEW WRITERS: WOPKSHOP to be conducted by Robert Forrey on Monday nights beganning July 8.

All classes run from 7 p.m. to 10 p.h.,

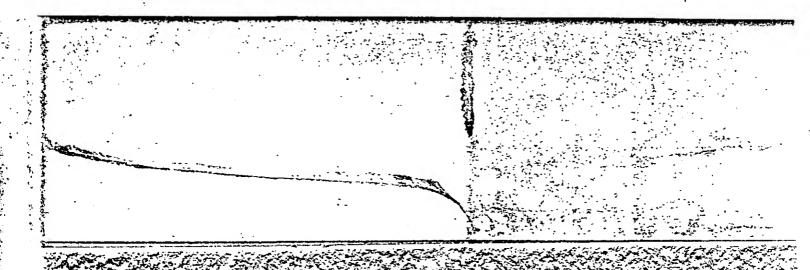
REGISTRATION: July 1, 2, 8, 9 from 6 to 3 p.m., Room 1922, 853 Broadway (at 14 St) For further information on the above and for a list of August courses write for Catalog L.

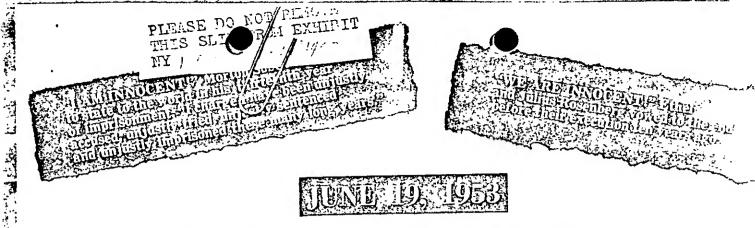
THE NEW YORK SCHOOL FOR MARXIST STUDIES

853 Brostway, Ecom 1922

New York 3, N To, GR. 3 - 1560

LABOR DINATED





The Moment That Shook The World

DID THE ELECTRIC CHAIR KILL THE DOUBTS?

HAVE 13 YEARS OF LIVING DEATH FOR MORTON SOBELL

ANSWERED THE QUESTIONS?

CAN WE FORGET?



CARNEGIE HALL MEETING

8 p. m

Hear DR. HAROLD C. UREY, Nobel Prize atomic scientist

See Film "MORTON SOBELL - A PLEA FOR JUSTICE": and Special Filmed Interview with Bertrand Russell

Honored Guests include: Prof. Erwin Goodenough; Rabbi Balfour Brickner; Rev. G. Shubert Frye; Rev. John E. Evans; Prof. Dale Pontius; Mrs. Eleanor Jackson Piel; Dean Donal E. J. MacNamara

JUNE 15 2 p.m.

YOUTH APPEAL
Another Generation Acts!
Join the Washington Demonstration
at the White House

JUNE 16

MEMORIAL TRIBUTE
Wellwood Cemetary, Pinelawn, L.I.
on the Tenth Anniversary
of the Rosenberg Execution

Tickets for CARNEGIE HALL at \$1 each, and information on gatherings at Cemetary and in Washington, from the SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y., AL 4-9983

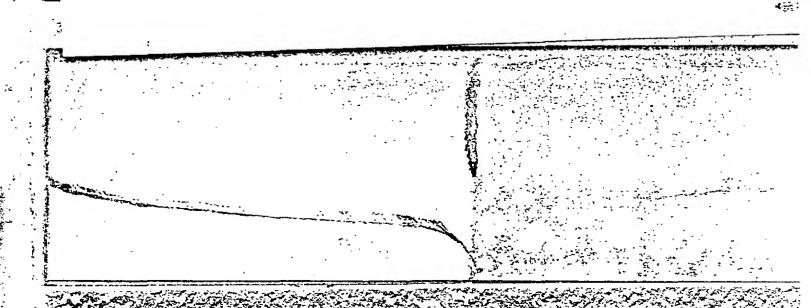




Among those who have urged Sobell's release on many grounds are:

Rev. Gross W. Alexander David Andrews Roger Baldwin Rabbi J. S. Bass Carleton Beals Helen M. Beardsley Dr. John C. Bennett Leo Berman Rabbi Samuel Bernstein Robert Bolt Robbi Balfour Brickner Dr. Martin Buber Dr. Edmond Cahn Pablo Casals Lord Chorley Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Elizabeth, Queen Mother of Belgium Dr. Thomas I. Emerson
Rev. John E. Evans
James T. Farrell
Rabbi Morris Fishman
Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Rabbi Robert E. Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Rev. Donald Harrington Dr. A. Eustace Haydon Nat Hentoff Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Hurwitz Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr., William Kunstler Morris Laub Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld Doris Lessing
Donal E. J. MacNamara
Daniel G. Marshall
Dr. Leo Mayer
Milton Mayer
Louis F. McCabe

Rev. Peter McCormack
Sen. Lee Metcalf
Dr. Uri Miller
Gerhard O. W. Mueller
Lewis Mumford
Dr. Gardner Murphy
Jerome Nathanson
Dr. Reinhold Niebuhr
Lord Boyd Orr
Prof. Victor Paschkis
Dr. Linus Pauling
Dr. Dryden Linsley Phelps
Clarence E. Pickett
Prof. Dale Pontius
Dr. Luis Sanchez Ponton
Rabbi Emanuel Rackman
Howard B. Radest
Paul Ramsey
Prof. Anatol Rapaport
Prof. Oscar K. Rice
Prof. Fred Rodell
Lord Bertrand Russell
Jean-Paul Sartre
Prof. Malcolm Sharp
Dr. D. R. Sharpe
Alan Sillitoe
Sydney Silverman, M.P.
Harvey Swados —
Norman Thomas
Rev. Francis S. Tucker
Kenneth Tynan
Dr. Harold C. Urey
Mrs. Clara M. Vincent
Rowland Watts
Rabbi Jacob J. Weinstein
Arnold Wesker
Dr. Daniel Day Williams
Prof. Francis D. Wormuth
Belgian League for Rights for Man
Christian Century
The Nation Magazine
The New Republic
The New York Post
The Progressive
Social Action Commission of the
Union of American Hebrew
Congregations
Thirty Members of Parliament, Britain
Women's International League for
Peace and Freedom
1500 American Clergymen





Dear Friend:

During my period of service at Alcatraz, I came into close contact with all of the prisoners. I feel satisfied that I can evaluate human character quite accurately.

Through the years of my association at Alcatraz with Morton Sobell, I became more and more impressed with his innocence. This led me to make a studied investigation of his record at the prison as well as the trial record of the Rosenberg-Sobell case. The more I studied, the more convinced I became of the man's innocence. I feel so keenly about this case, and to state it frankly, somewhat ashamed that the courts of our land could be so influenced by public opinion fed by the hysteria of the McCarthy era, that I have set out in an address under the title "ALCATRAZ WAS MY PARISH" my evaluation of the man and the injustice perpetrated upon him by detaining him still in Atlanta penitentiary.

He is a man of fine intellect, of noble character, healthy-minded, a loyal American, a devoted husband and father, a noble son of humble but noble family. Yet the record still shows that here is a man, falsely accused, cruelly treated, sentenced on the flimsy testimony of a self-confessed perjurer and still suffering within prison walls.

The cry for justice has sounded many times through the centuries from the time of Amos the Prophet down to the present. To me no cry has had such merit to it as the cry for justice for Morton Sobell. I am satisfied if the Clergy of this land, whose mission it is to "seek justice and judgment," would acquaint themselves with this case, the relentless pressure of that segment of public opinion would compel our courts to re-open the case, free-ing it from perjury, politics and prejudice, and in the light of honor and truth restore Morton Sobell to his rightful place as an American citizen, a man vindicated by the weight of public opinion and the justice and honor that we are entitled to expect to emanate from the courts of our land.

Please read this testimony to Morton Sobell from his chaplain at Alcatraz. We must match his courage with our courage until justice is granted. Will you join with the hundreds of clergymen from various parts of the country who have signed the enclosed appeal?

Jr. Thomas Kilgore, Friendship Baptist Church

bi Jacob J. 930 East 50th Street

Chicago, Illinois

taul behineren

Dr. Paul Lehmann Harvard Divinity School Cambridge, Massachusetts

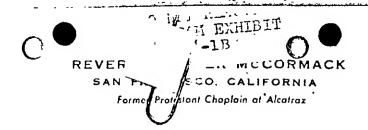
となりかん Professor Roland H. Bainton Yale Divinity School New Haven, Connecticut

Sincerely yours,

Rev. Feter m. Cormack

Rev. Peter McCormack

For further information: Committee to Secure Justia for MORTON SOBELL 940 BROADWAY NEW YORK 10, N.Y. AL 4-9983



Dear Friend:

During my period of service at Alcatraz, I came into close contact with all of the prisoners. I feel satisfied that I can evaluate human character quite accurately.

Through the years of my association at Alcatraz with Morton Sobell, I became more and more impressed with his innocence. This led me to make a studied investigation of his record at the prison as well as the trial record of the Rosenberg-Sobell case. The more I studied, the more convinced I became of the man's innocence. I feel so keenly about this case, and to state it frankly, somewhat ashamed that the courts of our land could be so influenced by public opinion fed by the hysteria of the McCarthy era, that I have set out in an address under the title "ALCATRAZ WAS MY PARISH" my evaluation of the man and the injustice perpetrated upon him by detaining him still in Atlanta penitentiary.

He is a man of fine intellect, of noble character, healthy-minded, a loyal American, a devoted husband and father, a noble son of humble but noble family. Yet the record still shows that here is a man, falsely accused, cruelly treated, sentenced on the flimsy testimony of a self-confessed perjurer and still suffering within prison walls.

The cry for justice has sounded many times through the centuries from the time of Amos the Prophet down to the present. To me no cry has had such merit to it as the cry for justice for Morton Sobell. I am satisfied if the Clergy of this land, whose mission it is to "seek justice and judgment," would acquaint themselves with this case, the relentless pressure of that segment of public opinion would compel our courts to re-open the case, freeing it from perjury, politics and prejudice, and in the light of honor and truth restore Morton Sobell to his rightful place as an American citizen, a man vindicated by the weight of public opinion and the justice and honor that we are entitled to expect to emanate from the courts of our land.

Please read this testimony to Morton Sobell from his chaplain at Alcatraz. We must match his courage with our courage until justice is granted. Will you join with the hundreds of clergymen from various parts of the country who have signed the enclosed appeal?

Rev. Thomas Kilgore, Jr. Friendship Baptist Church

Rabbi Jacob J. Weinstein 930 East 50th Street

Chicago, Illinois

Paul behrussen

Dr. Paul Lehmann Harvard Divinity School Cambridge, Massachusetts

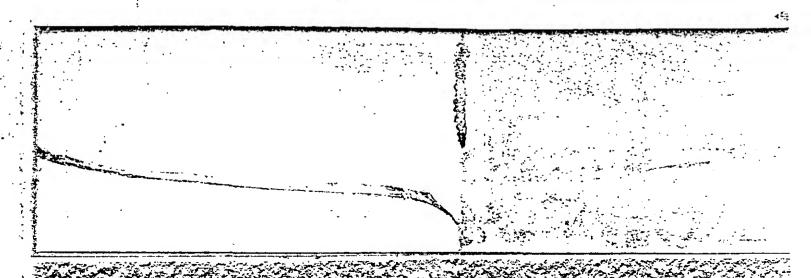
Professor Roland H. Bainton Yale Divinity School

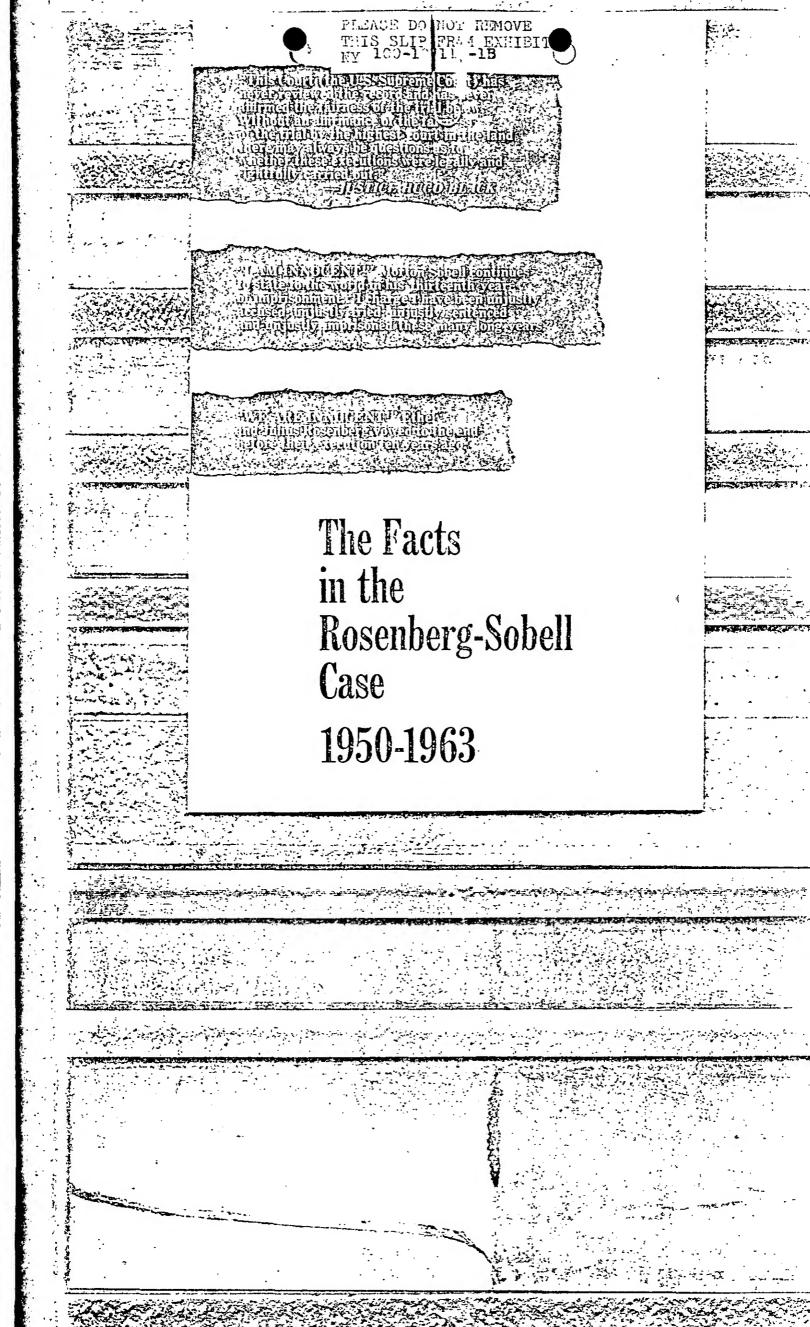
Yale Divinity School New Haven, Connecticut Sincerely yours,

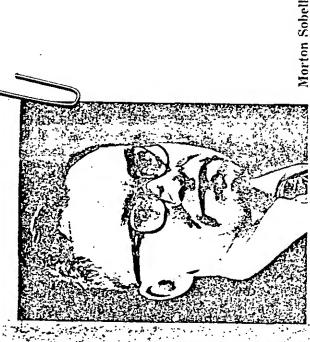
Rev. Peter M. Cormack

Rev. Peter McCormack

For further information:
Committee to Secure Justic
for MORTON SOBELL
940 BROADWAY
NEW YORK 10, N.Y.
AL 4-9983







一大の変がないませんか





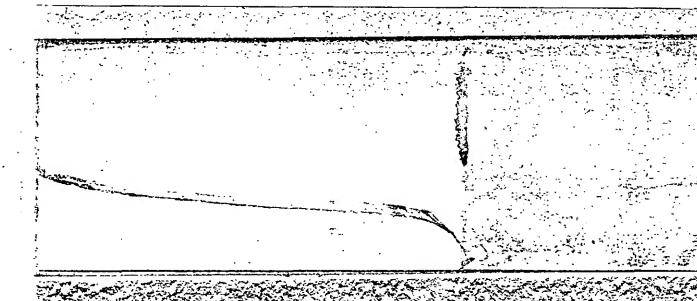
Historians now call it the era of McCarthyism. It was a time of fear and suspicion.

Our nation and been assured the atomic bomb would remain an American monopoly for years to come. When Russia unexpectedly exploded a bomb in 1949, "they stale it from us," was the panicky national response and a search for spics was on,

But Time Magazine commented on Jan. 2, 1950;

... The basic 'secrets' mere already in their files. Until this week the Russian papers have been known to few. If the facts they contain had been properly which Russian spics weded to steal. This fact has been asserted again and again by the Mamic Energy Commission . . . Last scientific papers on the project, published in 1940, before the "For the last decade, there has been no 'atom-homb secret' publicized, a lot of spy chasing and pointless orating might have Russia. week the A.E.C.'s files yielded documentary proof: U.S. started its atom bomb project neen avoided."

responsible for Russia having the bomb. His wife was arrested a blared the arrest of Julius Rosenberg as the "atom spy" who was short while later. In August, Morton Sobell was added as another It was only when he still insisted on his innocence that his name Russia's A-bomb was said to be discovered was listed as a defendant. The only "overt acts" charged were five by those still insisting it was espionage. Headlines in July, 1950 "atom spy" even though the trial judge was later to say that Sobell was not connected with the atomic project. The Rosenbergs and Sobell swore their innocence. Sobell was pressured to become an conversations which he allegedly had with Julius Rosenberg, These conversations were not to be mentioned at the trial. In the headlines the accused were guilty even before the trial, which took place accusing witness while the question of a trial for him was delayed during the time of the Korean fighting, in a New York courtioon, Suddenly the cause of





The Rosenbergs were a New York-born couple. Julius Rosenberg had been an engineer and at the time of his arrest had his own machine shop. The couple had two sons.

Morton Sobell,* who grew up in the Bronx, was a radar specialist and an evening instructor at Brooklyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his arrest. He and his wife, Helen, have a son, Mark, now 14, and by Mrs. Sobell's previous marriage, a daughter, Sydney.

Morton Sobell and Julius Rosenberg had known each other at the City College of New York.

The University of the

A key prosecutor, along with Irving Saypol and Myles Lane, was Roy Cohn, later to become Senator McCarthy's chief assistant. Cohn was discredited in the Army-McCarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.



The gap between the headlines and the facts was wide. Neither the Rosenbergs nor Sobell were charged with espionage or treason. The charge was "conspiracy to commit" espionage. The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.



In opposition to the defendants' plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimony of government witnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, did not claim to have stolen any documents or photographed any papers. He told a tale of having eavesdropped on scientists and from

their conversation drawing diagrams giving atomic secrets. On ero iseexamination he admitted having failed his science courses at Brooklyn Polytech. Dr. Harold C. Uroy, Nobel prize atomic scientist who studied the record subsequently and found "patently perjured" prosecution testimony, asserted: "Though the information supposed to have been transmitted could have been important, a man of Greenglass's capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the atomic bomb to anyone." Greenglass was sentenced to 15 years imprisonment but is now free after having been released at the end of 1960.

Of Greenglass's testimony, the U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."



Only one witness, Max Elitcher, accused Sobell of any involvement. Elitcher, admitting previous perjury, testified that he was "scared to death." The judge told the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

Elitcher did not claim Sobell ever passed or received any secret material. He told the jury that Sobell, although he supposedly thought the FRI was following him, took a 35mm film can (cooleast never specified) to Julius Rosenberg. Elitcher did not claim he saw Sobell give anything to Rosenberg. Elitcher has never been prosecuted for his confessed perjury, but has been helped to find employment, as a reward for his testimony.

Sobell's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the witness stand. Sobell, wanting to take the stand, reluctantly bowed to their logal opinion.



Harry Gold never claimed to have known the Rosenbergs and Sobell. But Gold, already under a 30 years sentence, described himself as the man to whom Greenglass gave the atomic data he said he obtained by eavesdropping on scientists. In a later trial, a man whom Gold accused went free after the court heard Gold's admission of having lived such a life of lies "it is a wonder that steam didn't come out of my ears." Gold is still in prison.

Flizabeth Bentley, who had become a frequent witness at the trials and Congressional hearings of the day, didn't claim to know the Rosenbergs or Sobell but added color with testimony on espionage methods. She was subsequently discredited in other proceedings. For example, she once accused a man of having supplied the Russians with advance information about Doolittle's raid on Tokyo which

Morton Sobell is not related to the brothers, Dr. Robert Soblen and Jack Sobie, who were in the public eye in an entirely different case.

the raid. Former U.S. Congressman Byron Scott of California was gleaned while the accused was in the Air Corps, But it was proven that the man wasn't in the Air Corps until months after charged before a Congressional committee that 37 discrepancies had been found in Blizabeth Bentley's testimony in that case.





Ethel Rosenberg

Julius Rosenberg

The verdict was "guilty." Dr. Harold C. Urey has said:

for any member of this jury to have yone home after voting for "This jury was hearing this trial in the midst of the McCarthy hysteria during the Korean War when people were very much upset about these things and it would seem to me very difficult acquittal and retained his job or his position in his community.

caused, in my opinion, the Communist aggression in Korea, with the Judge Irving Kaufman, expressing the hysteria of the time, inting into the hands of the Russians the A-bomb years before our best resultant casualties exceeding 50,000 and who knows but that milindeed, by your betrayal you undoubtedly have altered the course of scientists predicted Russia would perfect the bomb has already ions more of innocent people may pay the price of your (reason ... I believe your conduct in put history to the disadvantage of our country. coned against the Rosenbergs: ".

He condemned them to death. Nobody had ever been executed for espionage in the United States during peacetime. No woman had been executed by the federal government since 1865,

To Morton Sobell the judge said:

"The cridence in the case did not point to any activity on nour part in connection with the atomic bomb project."

He condemned Sobell to 30 years, and recommended against



Since the trial the following new evidence has been presented in

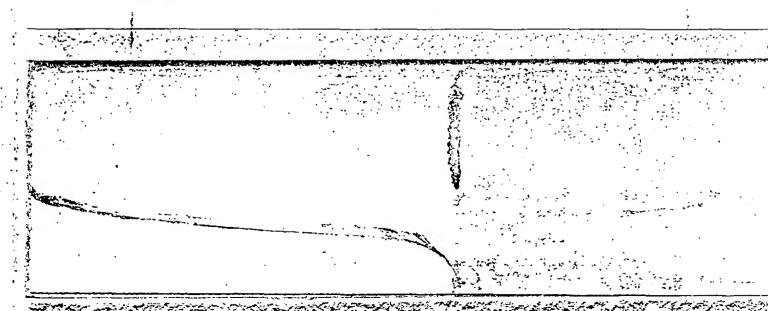
- · Memoranda of David Greenglass's lawyers revealing that Greentallways shouting incoherencies; and memoranda indicating that a Hicting stories; that Greenglass's wife confided that her bushand was an habitual liar who had fits of hysteria and ran nude through class, according to documents in his own handwriting, told condeal was made with the prosecution to lighten Greenglass's punishment in exchange for his testimony.
 - cution had claimed the table, not produced in court, was an expensive inexpensive table bought in Macy's as they had testified. The prose^f Proof that a console table the Rosenbergs owned was an ordinary gift from the Russians hollowed out for secret microfilm work.
- · Proof that the prosecution brought a passport photographer to court secretly to observe the Rosenbergs. Later, on the stand, he claimed he was identifying them upon secing them for the first time in court.
 - live. The new evidence showed that the Mexican government not only · Proof that Morton Sobell was kidnapped from Mexico at the Sobell, thus giving the court the impression that Sobell was a fugidid not deport Sobell, but took action to see that its laws were not instigation of the prosecution, and that at the trial the prosecution chimed fraudulently that the Mexican government had deported violated by an international kidnapping.
 - · Proof that Sobell and his family went to Mexico in a normal name. Sobell, as a scientist and teacher with left-wing views, has admitted that hysteria in the United States frightened him, and while in Mexico on vacation he thought of living abroad. He made manner with proper tourist cards and air tickets, and in their own inquiries under other names for passage to France and Israel. But he lived openly in Mexico City under his own name where he could be reached readily, and not as a fugitive.

HEARING IN COURT. Each time, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER REEN GIVEN A avoid a hearing on the merits.

というではることがあっているとはないとなるというとうないのであるともなっていることのないではないというとはないと

Defenders of the Rosenberg-Sobell verdict often claim that the Supreme Court has reviewed the case many times and found nothing wrong. The fact is, as Justice Black has stated, "This Court has never reviewed this record and has never affirmed the fairness to review a case in no way judges its merits. Further, appeads are of the trial below." The Supreme Court has emphasized that refusal limited to legal points, not the question of innocence or guilt or which witness was telling the truth.

One judge of the U.S. Court of Appeals, the late Jerome Frank,



voted for a new Sobell trial in a dissenting opinion holding that Sobell's case should have been considered separately from that of the Rosenbergs.



"Wholly reprehensible" was the expression the U.S. Court of Appeals used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said that if the defense had raised the question sconer, a mistrial should have been declared.

Recent court decisions have emphasized other prosecution unfairness. The prosecution repeatedly implied to the jury that Ethel Rosenberg's answers at the trial could not be believed because she had pleaded the 5th Amendment to the same questions previously before a Grand Jury. Supreme Court rulings in other cases since the execution have branded such tactics as unfair and illegal.

On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that under today's interpretation of the law the trial of Ethel and Julius Rosenberg and Morton Sobell would have been considered unfair. But the court said it is too late for Sobell to raise the point. Legally speaking, the Appeals Court said, it would not be too late for Ethel Rosenberg, if she were alive, to raise the point.



The furor that the Rosenberg-Sobell trial unleashed has been paralleled only by such cases as the Mooney-Billings and Sacco-Vanzetti cases in the United States and the Dreyfus case abroad. There were public meetings and demonstrations, debates in the press, thousands marching before the White House, and pleas pouring in from throughout the world. Pope Pius XII, the President of France, and Albert Einstein were among those who intervened for clemency.

A legal battle raged until the last moment. Justice Boughas granted a stay of execution, braving later moves for his impeachment. The Supreme Court had adjourned for the summer, but it was called back into unprecedented session to overrule Justice Douglas 6-3 while the executioner stood by in Sing Sing prison. A few hours later, on June 19, 1953, with the execution moved ahead until just before sundown to avoid having it occur on the Jewish Sabbath, Julius and Ethel Rosenberg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death chamber with the offer to spare them if they would admit guilt.

Morton Sobell received the news in Alcatraz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, 1952, after he refused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to change his testimony, sobell spent five and a half years in Alcatraz,

where his wife could only see him through a pane of glass and talk through a telephone when she visted him. Widespread public protests against this treatment as being vindictive resulted in his transfer to Atlanga Egderal Penitentiary, where he is now held.



Market Son South

あって きちょう しょうちょう サイトラ

The list of those urging Sobell's release has grown each year. It includes eminent persons of many viewpoints the world over (see partial listing on page 10.) There are appeals by those who question the fairness of the trial, by those who believe the Rosenbergs and Sobell innocent, by those who say the Rosenbergs were guilty but Sobell is innocent, and even by those who accept Sobell's guilt but regard the 30-year sentence as excessive and believe he should now be released.

A special independent study was made by a noted group including Edmond Cahn, professor of law at New York University, and Dr. Reinhold. Niebuhr of the Union Theological Seminary. The profess of inquiry called the case against Sobell "vague in content and slender in proof" and recommended a commutation of sentence.

The state of the s

Before his election as President, then Senator John F. Kennedy' had his aides meet with persons appealing for Sobell and gave every impression of planning action in his behalf. After the election, Presidential spokesmen in the White House were still optimistic about favorable action, A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to the study were the same holdovers in the department who previously had the responsibility of defending the verdict and the execution of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.

Morton Schell is officially eligible for parole, He has a job waiting for him, Rabbi Baffour Brickney, director of the Joint Commission on Interfaith Activities of the Union of American Hebrew Congres-

gations and the Central Conference of American Rabbis, has agreed to serve as his parole advisor. Sabell's wife, his mother, and his children have stood by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits and correspondence.

Donal E. J. MacNamara, Dean of the New York Institute of Criminology, describes Sapell as the ideal candidate for parole under every accepted criterina Notables from throughout the country testified in Washington in behalf of Sobell at a parole hearing and recommended that he be allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Rosenberg-Sobell case runs through the fabric of the last decade. There have been countless statements by authorities that Russian scientific capacities were woefully underestimated and Soviet development did not come from espionage. Yet two persons are buried in a grave on Long Island on the accusation that they gave Russia the atomic bomb.

Newspaper columnist Jack Scott has commented in the Vancouver Sun: "Sobell, himself, has continued to protest his innocence, although a confession, whether true or false, would lighten his staggering sentence... I happened to be reading a booklet on the witchcraft trials in Salem, Mass., when I came across the Sobell file. One paragraph tells of 13 women and six men hanged as witches and concludes, Fifty persons confessed and were freed. The comparison with the Rosenberg-Sobell case is unavoidable."



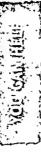
Professor Francis D. Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of American juvisprudence" because of fear in Washington of opening the Pandora's box of the Rosenberg-Sobell case.

A committee of eminent Americans is seeking to form an independent Commission of Inquiry that would investigate the entire case from top to bottom and render a verdict in the light of present perspective.

Meanwhile, there is a continuing urgent effort to free Morton

to President Kennedy for executive action, and to the public

Sobell through renewed appeals in the courts, to the parole board,



- 1. Write to President Kennedy urging that he free Sobell and name an independent inquiry commission into the Rosenberg-Sobell case.
- 2. Show to your organization or home gathering the new 16mm sound film "Morton Sobell—A Plea for Justice" (30 minutes).
- 3. Send a contribution to the Sobell Committee at the address below to help carry on its work.
- 4. Circulate this booklet and other available material for more intensive study. The full trial record can be bought for \$6 per set of 8 volumes, or it can be borrowed.

SOBELL COMMITTEE

910 Broadway, New York 10, N.Y.

AL 4.9983

Among those who have urged Sobe"s release on many grounds are: Rev. Gross W. Alexander Rev. Peter McCormack Sen. Lee Metcalf Dr. Uri Miller David Andrews Roger Baldwin Rabbi J. S. Bass Gerhard O. W. Mueller Carleton Beals Helen M. Beardsley Lewis Mumford Dr. Gardner Murphy Or. John C. Bennett Jerome Nathanson Leo Berman Dr. Reinhold Niebuhr Rabbi Samuel Bernstein Lord Boyd Orr Prof. Victor Paschkis Dr. Linus Pauling Robert Belt Rabbi Balfour Brickner Dr. Martin Buber Dr. Dryden Linsley Phelps Dr. Edmond Cahn

Pablo Casals Lord Chorley Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Elizabeth, Queen Mother of Belgium Dr. Thomas I. Emerson Rev. John E. Evans James T. Farrell Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Rabbi Robert E. Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Rev. Donald Harrington Dr. A. Eustace Haydon Nat Hentoff Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Herwitz Rev. John Fau! Jones Rev. Joseph P. King Rev. Martin Luther King, Jr. William Kunstler Morris Laub Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld Doris Lessing
Donal E. J. MacNamara
Daniel G. Marshall
Dr. Leo Mayer
Milton Mayer
Louis E. McCaba

Louis F. McCabe

4.

Clarence E. Pickett Prof. Dale Pontius Dr. Luis Sanchez Ponton Rabbi Emanual Rackman Howard B Radest Paul Ramsey Prof. Anatol Rapaport Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Jean-Paul Sartre Prof. Malcolm Sharp Dr. D. R. Sharpe Alan Sillitoe Sydney Silverman, M.P. Harvey Swados Norman Thomas Rev. Francis S. Tucker Kenneth Tynan Dr. Harold C. Urey Mrs. Clara M. Vincent Rowland Watts Rabbi Jacob J. Weinstein Arnold Wesker Dr. Daniel Day Williams Prof. Francis D. Wormuth Belgian League for Rights for Man Christian Century The Nation Magazine The New Republic The New York Post The Progressive Social Action Commission of the Union of American Hebrew Congregations Thirty Members of Parliament, Britain Women's International League for Peace and Freedom 1500 American Clergymen

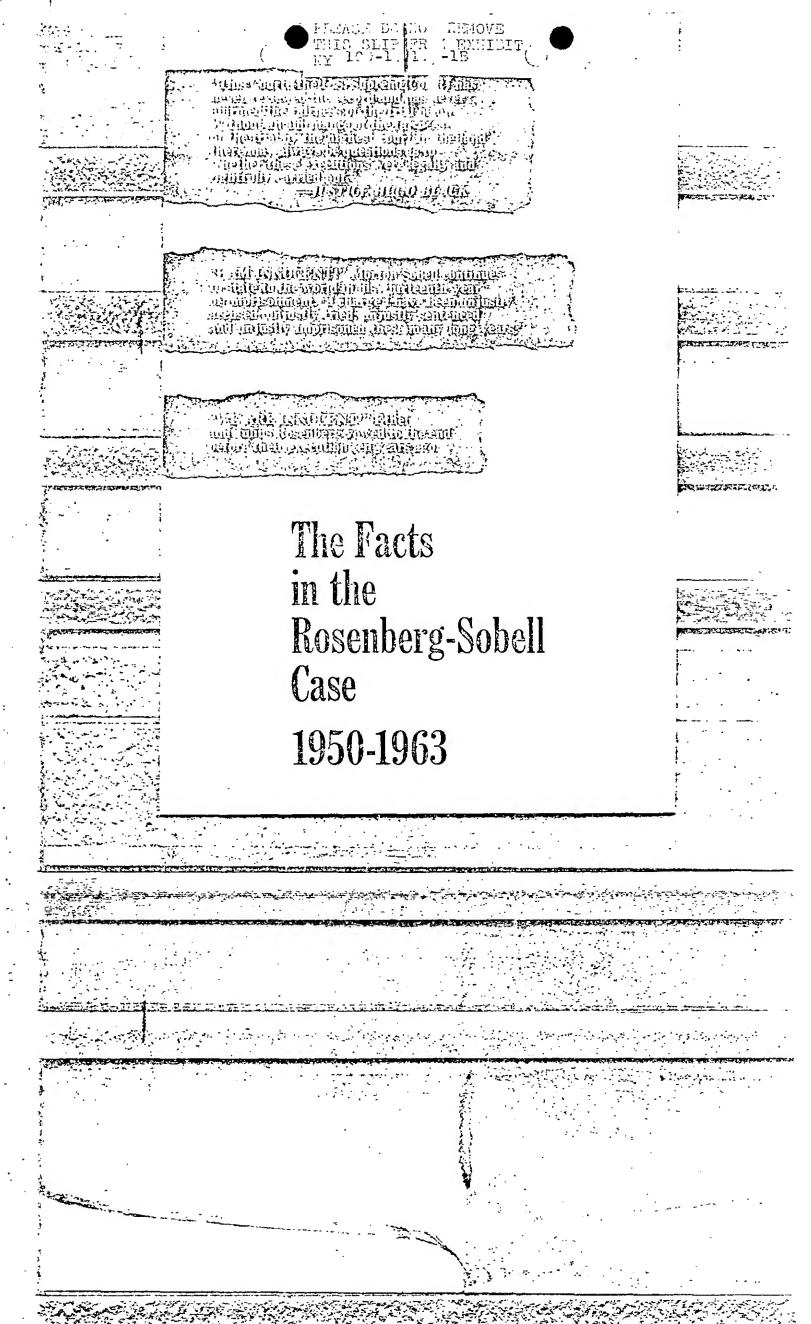
- ;

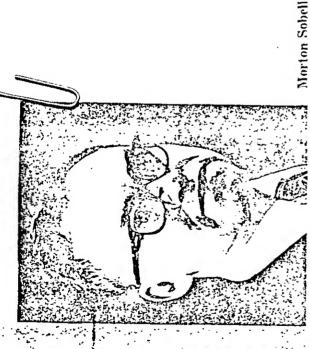
CHARLETTES.

TO METRICAL SALVES

For further information write:

SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y.









Distorians now call it the era of McCarthyism. It was a time of car and suspicion.

Our nation and been assured the atomic bomb would remain an American monopoly for years to come, When Russia unexpectedly exploded a bomb in 1949, "they stole it from us" was the panieky national response and a search for spies was on.

But Time Magazine commented on Jan. 2, 1950:

II.S. started its atom bomb project . . . The basic 'scents' were already in their files, Until this week the Russian papers have week the A.E.C.'s files jitelled documentary proof: Russia... scientific papers on the project, published in 1940, becore the been known to few. If the facts they contain had been properly which Russian spics needed to steal. This fact has been asserted again and again by the Momic Energy Commission . . . Lust publicized, a lot of spy chasing and pointless wating might hare "For the last decade, there has been no 'atom-bomb servet bren aroided."

blared the arrest of Julius Rosenberg as the "atom spy" who was responsible for Russia having the bomb, His wife was arrested a Suddenly the cause of Russia's A-bomb was said to be discovered Sobell swere their innocence. Sobell was pressured to become an by those still insisting it was espionage. Headlines in July, 1950, short while later, In August, Morton Sobell was added as another "atom spy" even though the trial judge was later to say that Sobell was not connected with the atomic project. The Resemberrs and It was only when he still insisted on his innocence that his name was listed as a defendant. The only "overt, acts" charged were five conversations which he allogedly had with Julius Rosenberg, These conversations were not to be mentioned at the trial. In the headines accusing witness while the question of a trial for him was delayed he accused were roulty even before the trial, which took place during the time of the Korean fighting, in a New York court com-



The translater from the translation of



The Rosenbergs were a New York-born couple, Julius Rosenberg had been an engineer and at the time of his arrest had his own machine shop. The couple had two sons,

Morton Sobell,* who grew up in the Bronx, was a radar specialist and an evening instructor at Brooklyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his arrest. He and his wife, Helen, have a son, Mark, now 14, and by Mrs, Sobell's previous marriage, a daughter, Sydney.

Morton Sobell and Julius Rosenberg had known each other at the City College of New York,



A key prosecutor, along with Irving Saypol and Myles Lane, was Roy Cohn, later to become Senator McCarthy's chief assistant. Gohn was discredited in the Army-McCarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.



The gap between the headlines and the facts was wide. Neither the Rosenbergs nor Sobell were charged with espionage or treason. The charge was "conspiracy to commit" espionage. The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

The property of the second sec

In opposition to the defendants' plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimony of government witnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, did not claim to have stolen any documents or photographed any papers. He told a tale of having cavesdropped on scientists and from

their conversation drawing diagrams giving atomic secrets. On cross-examination he admitted having failed his science courses at Brooklyn Polytech, Dr. Harold C. Urey, Nobel prize atomic scientist who studied the record subsequently and found "patently perjured" prosecution testimony, "asserted: "Though the information supposed to have been transmitted could have been important, a man of Green-glass's capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the atomic bomb to anyone," Green-glass was sentenced to 15 years imprisonment but is now free after having been released at the end of 1950.

Of Greenglass's testimony, the U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."

(

क्रिया कर्क्सिको अधिकाम

Only one witness, Max Elitcher, accused Sobell of any involvement. Elitcher, admitting previous perjury, testified that he was "scared to death," The judge told the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

Elitcher did not claim Sobell ever passed or received any secret material. He told the jury that Sobell, although he supposedly thought the FBI was following him, took a 35mm film can content never specified) to Julius Rosenberg. Elitcher did not claim he saw Sobell give anything to Rosenberg. Elitcher has never been prosecuted for his confessed perjury, but has been helped to find employment, as a reward for his testimony.

Sobell's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the witness stand. Sobell, wanting to take the stand, reluctantly bowed to their legal opinion.

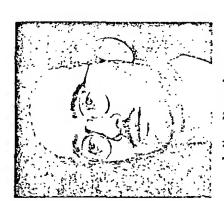
Sobell, But Gold, already under a 30 years sentence, described himself as the man to whom Greenglass gave the atomic data he said he obtained by cavesdropping on scientists. In a later trial, a man whom Gold accused went free after the court heard Gold's admission of having lived such a life of lies "it is a wonder that steam didn't come out of my cars." Gold is still in prison.

Elizabeth Bentley, who had become a frequent witness at the trials and Congressional hearings of the day, didn't claim to know the Rosenbergs or Sobell but added color with testimony on espionage methods, She was subsequently discredited in other proceedings. For example, she once areused a man of having supplied the Russians with advance information about Doolittle's raid on Tokyo which

^{*}Morton Soboll is not related to the brothers, Dr. Robert Soblen and Jack Soble, who were in the public eye in an entirely different case.

was gleaned while the accused was in the Air Corps. But it was proven that the man wasn't in the Air Corps until months after the raid. Former U.S. Congressman Byron Scott of California charged before a Congressional committee that 37 discrepancies had been found in Elizabeth Bentley's testimony in that case.





Ethel Rosenberg

Julius Rosenberg

TO THE PROPERTY OF THE PARTY OF

日子 はいちつけいかいことなる からり からくちょういんかいなる というてきる いちまる

Mariti Car

The verdict was "guilty." Dr. Harold C. Uray has said:
"This jury was hearing this trial in the midst of the McCarthu

This jury was bearing this trial in the midst of the McCarthy hysteria during the Korean War when people were very much upset about these things and it would seem to me very difficult for any member of this jury to have gone home after voting for acquillal and retained his job or his position in his community."

Judge Irving Kaufman, expressing the hysteria of the time, intended against the Rosenbergs: "... I believe your conduct in putting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the bomb has already caused, in my opinion, the Communist aggression in Korea, with the resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason. Indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country."

He condemned them to death. Nobody had ever been executed for espionage in the United States during peacetime. No woman had been executed by the federal government since 1865.

To Morton Sobell the judge said:

"The cridence in the case did not point to any activity on your part in connection with the atomic bomb project." He condemned Sobolt to 30 years, and recommended against

Since the trial_the following new evidence has been presented in court:

- Memoranda of David Greenglass's lawyers revealing that Greenglass, according to documents in his own handwriting, told conflicting stories; that Greenglass's wife confided that her husband was an habitual liar who had fits of hysteria and ran nude through hallways shouting incoherencies; and memoranda indicating that a deal was made with the prosecution to lighten Greengless's punishment in exchange for his testimony.
 - Proof that a console table the Rosenbergs owned was an ordinary inexpensive table bought in Macy's as they had testified, The prosecution had claimed the table, not produced in court, was an expensive gift from the Russians hollowed out for secret microfilm work.
- Proof that the prosecution brought a passport photographer to court secretly to observe the Rosenbergs, Later, on the stand, he claimed he was identifying them upon seeing them for the first time in court.
- Proof that Morton Sobell was kidnapped from Mexico at the instigation of the prosecution, and that at the trial the prosecution claimed fraudulently that the Mexican government had deported Sobell, thus giving the court the impression that Sobell was a fingitive, The new evidence showed that the Mexican provernment not only did not deport Sobell, but took action to see that its best were no violated by an international kidnapping.
 - Proof that Sobell and his family went to Mexico in a normal manner with proper tourist cards and air tickets, and in their own name. Sobell, as a scientist and teacher with left-wing views, has admitted that hysteria in the United States frightened him, and while in Mexico on vacation he thought of living abroad. He made inquiries under other names for passage to France and Israel, Buthe lived openly in Mexico City under his own name where he could be reached readily, and not as a fugitive.

NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN A HEARING IN COURT. Each time, the prosecution has managed to avoid a hearing on the merits.

Contract court will be a contract of the contr

はつけることには、ことで、

Defenders of the Rosenberg-Sobell verdict often claim that the Supreme Court, has reviewed the case many times and found nothing wrong. The fact is, as Justice Black has stated, "This Court has never reviewed this record and has never affirmed the fairness of the trial below." The Supreme Court has emphasized that refusal to review a case in no way judges its merits. Further, appeals are limited to legal points, not the question of innocence or puilt or which witness was telling the truth.

One judge of the U.S. Court of Appeals, the late Jerene Frank,

voted for a new Sobell trial in a dissenting opinion holding that Sobell's case should have been considered separately from that of the Rosenbergs.

न्त्राधाक्राता प्रशासिका अधिकारिक

"Wholly reprehensible" was, the expression the U.S. Court of Appeals used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial, The court said that if the defense had raised the question sooner, a mistrial should have been declared.

Recent court decisions have emphasized other prosecution unfairness. The prosecution repeatedly implied to the jury that Ethel Rosenberg's answers at the trial could not be believed because she had pleaded the 5th Amendment to the same questions previously before a Grand Jury. Supreme Court rulings in other cases since the execution have branded such tactics as unfair and illegal.

On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that under today's interpretation of the law the trial of Ethel and Julius Rosenberg and Morton Sobell would have been considered unfair. But the court said it is too late for Sobell to raise the point. Legally speaking, the Appeals Court said, it would not be too late for Ethel Rosenberg, if she were alive, to raise the point.



The furor that the Rosenberg-Sobell trial unleashed has been paralleled only by such cases as the Mooney-Billings and Sacco-Vanzetti cases in the United States and the Dreyfus case abroad. There were public meetings and demonstrations, debates in the press, thousands marching before the White House, and pleas pouring in from throughout the world. Pope Pius XII, the President of France, and Albert Einstein were among those who intervened for elementy.

and Albert Einstein were among those who intervened for crements. A legal battle raged until the last moment, fustice Douglas granted a stay of execution, braving later moves for his impeachment. The Supreme Court, had adjourned for the summer, but it was called back into unprecedented session to overrule Justice Douglas 6-3 while the executioner stood by in Sing Sing prison. A few hours later, on June 19, 1953, with the execution moved ahead until just before sundown to avoid having it occur on the Jewish Sabbath, Julius and Ethel Rosenberg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death chamber with the offer to spare them if they would admit guilt.

Morton Sobell received the news in Alcatraz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, 1952, after he refused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to change his testimony. Sobell spent five and a half years in Alcatraz.

where his wife could only see him through a pane of glass and talk through a telephone when she visted him. Widespread public protests against this treatment as being vindictive resulted in his transfer to Atlanta, Federal Penitentiary, where he is now held.



CHALLACE ELON MORTHUM

一年 見るとなることをするる

The list of those urging Sobell's release has grown each year. It includes eminent persons of many viewpoints the world over (see partial listing on page 10.1 There are appeals by those who question the fairness of the trial, by those who believe the Rosenbergs and Sobell innocent, by those who say the Rosenbergs were guilly but Sobell is innocent, and even by those who accept Sobell's guilt but regard the 30-year sentence as excessive and believe he should now be released.

A special independent study was made by a noted group including Edmond Cahn, professor of law at New York University, and Dr. Reinhold, Niebuhr of the Union Theological Seminary. The posicial of inquiry called the case against Sobell "vague in content and slender in proof" and recommended a commutation of sentence.

THEFT IN WASTANCHED, PASSAGE

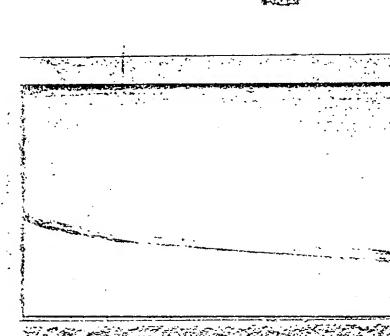
そのことをなっては、まち、大きのであるとうなっていることはいってい

Before his election as President, then Senator John F. Kennedy had his aides meet with persons appealing for Sobell and gave every impression of planning action in his behalf. After the election, Presidential spokesmen in the White House were still optimistic about favorable action, A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to the study were the same holdovers in the department who previously had the responsibility of defending the verdict and the execution of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.

Bakene piralen

Morton Sobell is officially eligible for parole. He has a job waiting for bim, Rabbi Balfour Brickner, director of the Joint Commission on Interfaith Activates of the Union of American Hebrew Congre-



gations and the Central Conference of American Rabbis, has agreed to serve as his parole advisor. Sobell's wife, his mother, and his children have stood by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits and correspondence.

Donal E. J. MacNamara, Dean of the New York Institute of Criminology, describes Schell as the ideal candidate for parole under every accepted criterion. Notables from throughout the country testified in Washington in behalf of Sobell at a parole hearing and recommended that he be allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Rosenberg-Sobell case runs through the fabric of the last lecade. There have been countless statements by authorities that Russian scientific capacities were woefully underestimated and Soviet development did not come from espionage. Yet two persons are buried in a grave on Long Island on the accusation that they gave Russia the atomic bomb.

Newspaper columnist Jack Scott has commented in the Vancouver Sun: "Sobell, himself, has continued to protest his innocence, although a confession, whether true or false, would lighten his stargering sentence... I happened to be reading a booklet on the witchcraft trials in Salem, Mass., when I came across the Sobell file. One paragraph tells of 13 women and six men hanged as witches and concludes, 'Fifty persons confessed and were freed.' The comparison with the Rosenberg-Sobell case is unavoidable."



Professor Francis D, Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of American jurisprudence" because of fear in Washington of opening the Pandora's box of the Rosenberg-Sobell case.

A committee of eminent Americans is seeking to form an independent Commission of Inquiry that would investigate the entire case from top to bottom and render a verdict in the light of present perspective.

Meanwhile, there is a continuing urgent effort to free Morton Sobell through renewed appeals in the courts, to the parole board, to President Kennedy for executive action, and to the public conscience.



- 1. Write to President Kennedy urging that he free Sobell and name an independent inquiry commission into the Rosenberg-Sobell case.
- 2. Show to your organization or home gathering the new 16mm sound film "Morton Sobell-A Plea for Justice" (30 minutes).
- 3. Send a contribution to the Sobell Committee at the address below to help carry on its work.
- 4. Circulate this booklet and other available material for more intensive study. The full trial record can be bought for \$6 per set of 8 volumes, or it can be borrowed.

SOBELL COMMITTEE

940 Broadway, New York 10, N.Y. Al. 4,9983 Among those who have urged Sober's release on many grounds are: Rev. Peter McCormack Sen. Lee Metcalf Rev. Gross W. Alexander David Andrews Roger Baldwin Dr. Uri Miller Gerhard D. W. Mueller Lewis Mumford Rabbi J. S. Bass Carleton Beals Helen M. Beardsley Or. Gardner Murphy Dr. John C. Bennett Jerome Nathanson Dr. Reinhold Niebuhr Lord Boyd Orr Leo Berman Rabbi Samuel Bernstein Robert Bolt Prof. Victor Paschkis Rabbi Balfour Brickner Dr. Linus Pauling Dr. Dryden Linsley Phelps Clarence E. Pickett Dr. Martin Buber Dr. Edmond Cahn Pablo Casals Prof. Dale Pontius Lord Charley Dr. Luis Sanchez Ponton Rabbi Emanuel Rackman

Harold A. Cranefield Lloyd Donnell Rabbi Maurice B. Eisendrath Elizabeth, Queen Mother of Belgium Dr. Thomas 1. Emerson Rev. John E. Evans James T. Farrell Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Rabbi Rotert E. Goldburg Rabbi Israel Goldstein Prof. Erwin R. Goodenough Rev. Donald Harrington Dr. A. Eustace Haydon Nat Hentoff Rev. John Haynes Holmes Rabbi Philip Horowitz Leo Hurwitz Rev. John Paul Jones Rev. Joseph P. King Rev. Martin Luther King, Jr. William Kunstier Morris Laub Br. Paul L. Lehmann Rabbi Arthur J. Lelyveld Doris Lessing Donal E. J. MacNamara Daniel G. Marshall Dr. Leo Mayer Milton Mayer Louis F. McCabe

in C

374

Howard B. Radest Paul Ramsey Prof. Anatol Rapaport Prof. Oscar K. Rice Prof. Fred Rodell Lord Bertrand Russell Jean-Paul Sartre Prof. Malcolm Sharp Dr. D. R. Sharpe Alan Sillitoe Sydney Silverman, M.P. Harvey Swados Norman Thomas Rev. Francis S. Tucker Kenneth Tynan Dr. Harold C. Urey Mrs. Clara M. Vincent **Rowland Watts** Rabbi Jacob J. Weinstein Arnold Wesker Dr. Daniel Day Williams Prof. Francis D. Wermuth Belgian League for Rights for Man Christian Century The Nation Magazine The New Republic The New York Post The Progressive Social Action Commission of the Union of American Hebrew Congregations Thirty Members of Parliament, Britain Women's International League for Peace and Freedom 1500 American Clergymen

BERREADERS

Acres -

anovie emilia a

THE PERSON NAMED IN

For further information write:

SOBELL COMMITTEE, 940 Broadway, New York 10, N.Y.

940 EROAD WAY (Entrance on 21:



10 Years After Rosenberg Execution

Mrs. Morton Sobell M. Have Sobell Chalens

HONORARY SPONSORS (partial listing) Rev. Griss W. Alexander David Andrews RAMA S " Intak Mark with LaPea S REMARK TROUBLE Her Ad A. Crare will Martharit Res. J. V. S. Pauli Res. J. V. S. Pauli Res. Konnell, Ripley Forless Valla Fra Pet. C. Shubert Proc. Rev. Erwin A. Gaede Staggett the war Landau Hada Prof. Fre is to Good. Robbi Avery Grass Silver Dr. A. Enstree Hayder Russiff J. h. . . Rev. John Paul Jon 3 Rev. Joseph P. King. Dr. Paul L. Lebalana Daniel G. Matshall Dr. Lea Mayer Milton Mayer Louis F. McCabe Rev. Peter McCormack Dr. Gardner Murphy Rev. Dryden Linsley Phelps Paul Brito Printer Howard B. Radest Prof. Anniol Rapaport Prof. Oscar K. Rice Lord Bertrand Russell Prof. Malcolm Sharp Dr. D. R. Sharpe Sydney Silv maan, M.P. Rev. France, S. Tucher

Dr. Harold C. Urey

Sales (E

Mrs. Clara M. Vincent Rabbi Jacob J. Weinstein Prof. Francis D. Wormuth NOBEL PRIZE ATOM SCIENTIST DR. HAROLD C. UREY TO ADDRESS MEMORIAL MEETING URGING NEW REVIEW OF CASE AND FREEING MORTON SOBELL

MINER YOUR LA

Meeting June 19 at Carnogie Hall, Gathering at Resemberg Graves, Appeal in Washington, Actions by Groups in Other Countries Marking 10th Anniversary of Turbulent Case

Recent Appeals Court Decision Admitting Law Today Would Have Entitled the Rosenbergs and Sobell to New Trial Being Stressed

NEW YORK--Atomic Scientist Dr. Harold C. Urey, who 10 years ago branded testimony against Ethel and Julius Rosenberg as perjured and helped lead the fight to save their lives, will address a meeting at Carnegie Hall, June 19, 1963 on the 10th anniversary of their execution despite their pleas of innocence and world-wide appeals.

Dr. Urey, and other participants, will urge the release of Morton Sobell, who throughout these years has maintained his innocence despite offers of leniency if he would make a confession to a crime he did not commit. Sobell was condemned to 30 years imprisonment and is at Atlanta Federal Penitentiary.

The PROGRESSIVE

Madison, Wisconsin

A Ghost

THE continued existence of Morton Sobell is an offense to the things we hold dear. The things we hold dear are peace and quier. Sobell, by his continued existence, leaves us none.

If he were dead and buriedlike his "fellow-conspirators," the Rosenbergs-we'd have peace and quiet. If he were free, we'd have peace and quiet and never hear of him again. (He's no genius as a scientist.)

But alive, and thirteen years in prison, and seventeen to go, he torments us.

With the Rosenbergs he was convicted on disreputable testimony-there was no evidence-at the peak of the McCarthy panic in the Korean War. They "gave the atomic bomb to the Russians," said the judge; and now we know that the Russians had the basic "secrets" in 1940—before we had them.

If the Rosenbergs had confessed, they'd be alive; clemency by telephone was available to them even in the death chamber. (Ten years later the Circuit Court of Appeals held that their trial was unfair under, alas, the present interpretation of the law.) If Sobell had confessed (like the state's witnesses), he'd be free and (like them) in clover.

But the criminals didn't commit the crime-indeed, as we

know now, nobody did-so they wouldn't confess. And Sobell won't. He was kidnapped by "persons" acting secretly for the United States government. He was falsely accused, falsely tried, falsely convicted, and falsely imprisoned-all by the due process of law. The Supreme Court has never reviewed the record.

There's new evidence, and no way to get it heard. Mr. Kennedy turns his courageous profile away from his executive power. The parole board-without saying why -refuses a parole after the most competent possible witnesses testify that Sobell is an ideal candidate for it.

This living ghost of McCarthyism haunts us from his cell and shames our pretense that we are different from them because the state exists for man in our society.

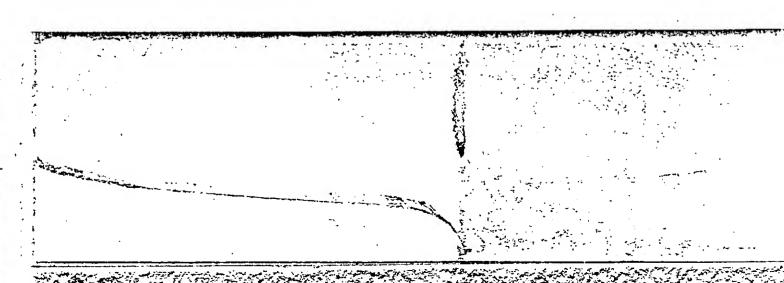
Morton Sobell is no great shakes. Neither were Sacco and Vanzetti. We made them great. We can unmake Sobell, and deprive him of his power to torment us, only by freeing him. But then the Rosenberg case will break wide open again.

Do we dare? Do we love our country? Do we love it enough to want to set it free from its shame? The address of the Sobell Committee is 940 Broadway, New York 10.

-THEOPHRASTUS SUCH.

reprinted as a public service by

The Committee To Secure Justice for Morton Sobell AL 4-9983 940 Broadway, N. Y. C.



the PROGRESSIVE

Madison, Wisconsin

A Ghost

The continued existence of Morton Sobell is an offense to the things we hold dear. The things we hold dear are peace and quiet. Sobell, by his continued existence, he was us made.

If he were dead and harred like his "fellow conspirators," the Rosenbergs—we'd have peace and quiet. If he were free, we'd have peace and quiet and never hear of him again. (He's no genius as a scientist.)

But alive, and thirteen years in prison, and seventeen to go, he torments us.

With the Rosenbergs he was convicted on disreputable testimony—there was no evidence—at the peak of the McCarthy panic in the Korean War. They "gave the atomic bomb to the Russians," said the judge; and now we know that the Russians had the basic "secrets" in 1940—before we had them.

If the Rosenbergs had confessed, they'd be alive; clemency by telephone was available to them even in the death chamber. (Len years later the Circuit Court of Appeals held that their trial was untair under, alas, the present interpretation of the law.) If Sobell had confessed (like the state's witnesses), he'd be free and (like them) in clover.

But the criminals didn't commit the crime—indeed, as we

know now, nobody did—so they wouldn't confess. And Sobell won't. He was kidnapped by "persons" acting secretly for the United States government. He was Likely accused, falsely tried, false by convicted, and takely impresoned all by the due process of law. The Supreme Court has never reviewed the record.

There's new evidence, and no way to get it heard. Mr. Kennedy turns his courageous profile away from his executive power. The parole board—without saying why—refuses a parole after the most competent possible witnesses testify that Sobell is an ideal candidate for it.

This living ghost of McCarthyism haunts us from his cell and shames our pretense that we are different from them because the state exists for man in our society.

Morton Sobell is no great shakes. Neither were Sacco and Vanzetti. We made them great. We can unmake Sobell, and deprive him of his power to torment us, only by freeing him. But then the Rosenberg case will break wide open again.

Do we dare? Do we love our country? Do we love it enough to want to set it free from its shame? The address of the Sobell Committee is 940 Broadway, New York 10.

-THEOPHRASTUS SUCH.

reprinted as a public service by

The Committee To Secure Justice for Morton Sobell 940 Broadway, N. Y. C. AL 4-9983

940 BROADWAY (Entrance on 22nd Street) HEW YORK, N. Y. 10010

Algenquin 4-9053

Mrs. Morton Sobell Mrs. Rose Sobell Chairmen

November 1963

HONORARY SPONSORS

(partial listing) Rev. Gross W. Alexander David Andrews Rabbi J. S. Bass Helen M. Beardsley Leo Berman Rabbi Samuel Bernstein Harold A. Cranefield Lloyd Donnell Prof. Kermit Eby Rev. John E. Evans Rabbi Morris Fishman Rev. Kenneth Ripley Forbes Waldo Frank Rev. G. Shubert Frye Rev. Erwin A. Gaede Maxwell Geismar Rabbi Robert E. Goldburg Prof. Erwin R. Goodenough Rabbi Avery Grossfield Dr. A. Eustace Haydon Russell Johnson Rev. John Paul Jones Rev. Joseph P. King Dr. Paul L. Lehmann Dr. Milton Lester Daniel G. Marshall Dr. Leo Mayer Million Mayer Louis F. McCabe Rev. Peter McCormack Dr. Gardner Murphy Rev. Dryden Linsley Phelps Prof. Dale Pontius Howard B. Radest Prof. Anatol Rapaport Prof. Oscar K. Rice Lord Bertrand Russell Prof. Malcolm Sharp Dr. D. R. Sharpe Sidney Silverman, M.P. Rev. Francis S. Tucker Dr. Harold C. Urey

Mrs. Clara M. Vincent

Rabbi Jacob J. Weinstein Prof. Francis D. Wormuth Dear Friend:

On August 5, 1963, President Kennedy commuted the lifetime sentence of Douglas Chandler convicted of pro-Nazi treason. He is now free.

The immorality of the conviction and long imprisonment of my innocent husband, Morton Sobell, has always been shocking. The double standard manifested in President Kennedy releasing Chandler while refusing to take action in my husband's case is outrageous.

Parole refused. Commutation refused.

President Kennedy continues to deny freedom to Morton even though he is beseeched with pleas from the world's most eminent individuals condemning the Rosenberg-Sobell trial and the barbarity of the 30-year sentence.

We urge you to protest by writing to President Kennedy demanding Morton's freedom now. You may want to write your letter on the back of the enclosed PROGRESSIVI MAGAZIM editorial which passionately urges an end to this cruelty.

Our message must go to the nation and the world. The size of your contribution, mailed in the enclosed envelope, will determine our ability to reach people. Please make it as large as possible.

Very sincerely yours,

(Mrs. Morton Sobell)



Madison, Wisconsin

A Ghost

The continued existence of Morton Sobell is an offense to the things we hold dear. The things we hold dear are peace and quier Sobell, by his continued existence, leaves us none.

If he were dead and buried—like his "fellow-conspirators," the Rosenbergs—we'd have peace and quiet. If he were free, we'd have peace and quiet and never hear of him again. (He's no genius as a scientist.)

But alive, and thirteen years in prison, and seventeen to go, he torments us.

With the Rounbergs he was convicted on disreputable testimony—there was no evidence—at the peak of the McCarthy panic in the Korean War. They "gave the atomic bomb to the Russians," said the judge; and now we know that the Russians had the basic "secrets" in 1910—before we had them

to the Receibery, had contessed, they'd be alive; elemency by telephone was available to them even in the death chamber. (Ten years later the Circuit Court of Appeals held that their trial was unfair under, alas, the present interpretation of the law.) If Sobell had confessed (like the state's witnesses), he'd be free and (like them) in clover.

But the criminals didn't commit the crime—indeed, as we

know now, nobody did—so they wouldn't confess. And Sobell won't He was bidrapped by "persons" acting secretly for the United States government. He was takely accused, falsely tried, falsely convicted, and falsely imprisoned—all by the due process of law. The Supreme Court has never reviewed the record.

There's new evidence, and no way to get it heard. Mr. Kennedy turns his courageous profile away from his executive power. The parole board—without saying why—refuses a parole after the most competent possible witnesses testify that Sobell is an ideal candidate for it.

This living ghost of McCarthyism haunts us from his cell and shames our pretense that we are different from them because the state exists for man in our society.

Morton Sobell is no great chakes Neither were Social and Vanzerii We made them great We can unmake Sobell, and deprive him of his power to torment us, only by freeing him. But then the Rosenberg case will break wide open again.

Do we dare? Do we love our country? Do we love it enough to want to set it free from its shame? The address of the Sobell Committee is 940 Broadway, New York 10.

-THEOPHRASTUS SUCH.

reprinted as a public service by

The Committee To Secure Justice for Morton Sobell 940 Broadway, N. Y. C. AL 4-9983

Committee To Secure Justice For Morton Sobell

949 BROADWEELtrance on 22nd Street NEW YORK 10, N.Y.

Algeografia 4 9785

President Lyndon B. Johnson, voicing the soul-searching anguish over the unhealthy atmosphere in our country, has called upon our nation "to bind our wounds, to heal our sores, to make our society well."

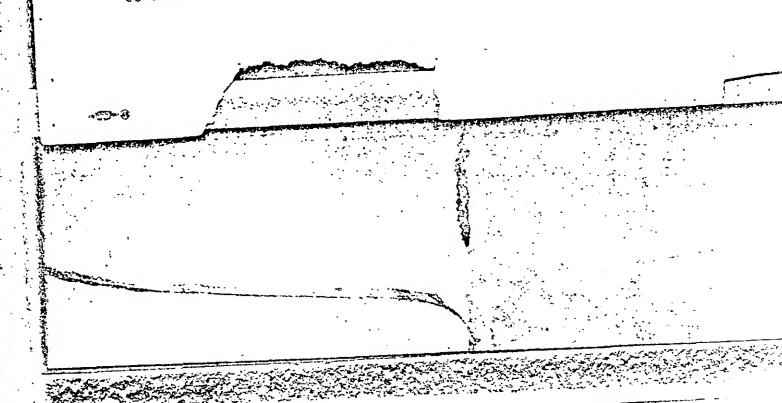
For more than a decade now the Rosenberg-Sobell case has been a basic example of the malignancy afflicting America. The seeds of mob violence today could be seen in that frightening moment of June 19, when a throng across from the White House cheered and rang cowbells at the news that Julius and Ethel Rosenberg had been electrocuted.

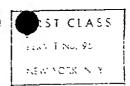
The immorality that could enable the United States Government itself to take the lives of parents maintaining their innocence despite to take the lives of parents maintaining Pope Pius XII has continued to pleas from world notables including Pope Pius XII has continued to pleas from world notables including Pope Pius XII has continued to fester all these years with the refusal to free Morton Sobell despite his innocence.

How many signs does a nation need before it turns from the road that winds from a blood-thirsty cheer when persons are executed in the McCarthy era to the reported cheering by some school children when the President of the United States is foully murdered?

No American, great or humble, is safe when injustice and immorality is permitted to flourish. It is this understanding that has impelled so many thousands to act in the Rosenberg-Sobell case even though it might have been more comfortable to sit on the sidelines.

We hope that in the context of the many sermons and public statements today sounding the alarm at events in our time we will be better able to get across to the public the meaning of a case of injustice and cruelty to an individual. For 14 years Morton Sobell injustice and cruelty to an individual. For 14 years Morton Sobell has been subjected to the harshest punishments available, through Alcatraz, through Atlanta, and now that his health has been impaired, at the Prison Medical Center in Springfield, Missouri. Impaired, at the Prison Medical Center in Springfield, Missouri. The freeing of Morton Sobell at last, coupled with the righting of other injustices plaguing us all, must be a prime subject of of other injustices plaguing us all, must be a prime subject of this attention.





BUSINESS REPLY MAIL

No Postage Stamp Necessary if Mailton in the United States

Postage will be paid by:
Room D
940 Broadway
New York, N. Y. 10010

318

Secure Justice For Morton Sobell Y LEASE DO 🜃 PETOVO THIS SLIP MON BXLINI 940 BROADWAY (Entrance on 22nd Street) NEW YORK, N. Y. 10010 November 1963 Mrs. Morton Sobell Mrs. Rose Soliell On August 5, 1963, President Kennedy Chairmin Dear Friend: commuted the lifetime sentence of Douglas Chandler convicted of pro-Nazi treason. He is HONORARY SPONSORS (partial listing) Rev. Gross W. Alexander The immorality of the conviction and now free. David Andrews long imprisonment of my innocent husband, Rabbi J. S. Bass Morton Sobell, has always been shocking. Helen M. Beardeley double standard manifested in President Kennedy releasing Chandler while refusing to take action Leo Berman Rabbi Samuel Bernstein Harold A. Cranefield in my husband's case is outrageous. Lloyd Donnell Prof. Kermit Fby Parole refused. Commutation refused. Rev. John E. Evans Rabbi Morris Fishman Rev. Kenneth Ripley Forbes President Kennedy continues to deny freedom to Morton even though he is beseeched Waldo Frank Rev. G. Shuhert Frye with pleas from the world's most eminent Rev. Erwin A. Garde individuals condemning the Rosenberg-Sobell Maxwell Geisman trial and the barbarity of the 30-year sentence. Rabbi Robert E. Culdburk Prof. Erwin R. Goodenaugh Ralli Avery (no sheld We urge you to protest by writing to Dr. A. Eustace Haydon President Kennedy demanding Morton's freedom now. You may want to write your letter on the Russell Johnson Rev. John Paul Jones back of the enclosed PROGRESSIVE MAGAZINE Rev. Joseph P. Kink editorial which passionately urges an end to Dr. Paul L. Lehmann Dr. Milton Lester Daniel G. Marshall Our message must go to the nation and Dr. Lea Mayer the world. The size of your contribution, mailed this cruelty. Milton Mayer in the enclosed envelope, will determine our ability to reach people. Please make it as large Louis F. McCabe Rev. Peter McCormack Dr. Gardner Murphy Rev. Dryden Linsley Phelps Prof. Dale Pontius Howard B. Radest Very sincerely yours, Prof. Anatol Rapaport as possible. for the parties of the Prof. Oscar K. Rice Lord Bertrand Russell Prof. Malcolm Sharp Dr. D. R. Sharpe (Mrs. Morton Sobell) Sidney Silverman, M.P. Rev. Francis S. Tucker Dr. Harold C. Urey Mrs. Clara M. Vincent Rabbi Jacob J. Weinstein Prof. Francis D. Wormuth

the PROGRESSIVE

Madison, Wisconsin

A Ghost

This continued existence of Morton Sobell is an offense to the things we hold dear. The things we hold dear are peace and quier. Sobell, by his continued existence, leaves us none.

มนัก <u>เมื</u>่อใช้

is SULD IF

If he were dead and buried—like his "fellow-conspirators," the Rosenbergs—we'd have peace and quiet. If he were free, we'd have peace and quiet and never hear of him again. (He's no genius as a scientist.)

But alive, and thirteen years in prison, and seventeen to go, he torments us.

With the Rosenbergs he was convicted on disreputable testimony there was no evidence—at the peak of the McCarthy panic in the Koreau War. They "gave the atomic bomb to the Russians," said the judge; and now we know that the Russians had the basic "secrets" in 1910—before we had them.

If the Rosenbergs had conlessed, they'd be alive; elemency by telephone was available to them even in the death chamber. (Ten years later the Circuit Court of Appeals held that their trial was untair under, alas, the present interpretation of the law.) If Sobell had confessed (like the state's witnesses), he'd be free and (like them) in clover.

But the criminals didn't commit the crime-indeed, as we

know now, nobody did—so they wouldn't confess. And Sobell won't. He was kidnapped by "persons" acting secretly for the United States government. He was falsely accused, falsely mied, falsely convicted, and falsely imprisoned—all by the due process of law. The Supreme Court has never reviewed the record.

There's new evidence, and no way to get it heard. Mr. Kennedy turns his courageous profile away from his executive power. The parole board—without saying why—refuses a parole after the most competent possible witnesses testury that Sobell is an ideal candidate for it.

This living ghost of McCarthyism haunts us from his cell and shames our pretense that we are different from them because the state exists for man in our society.

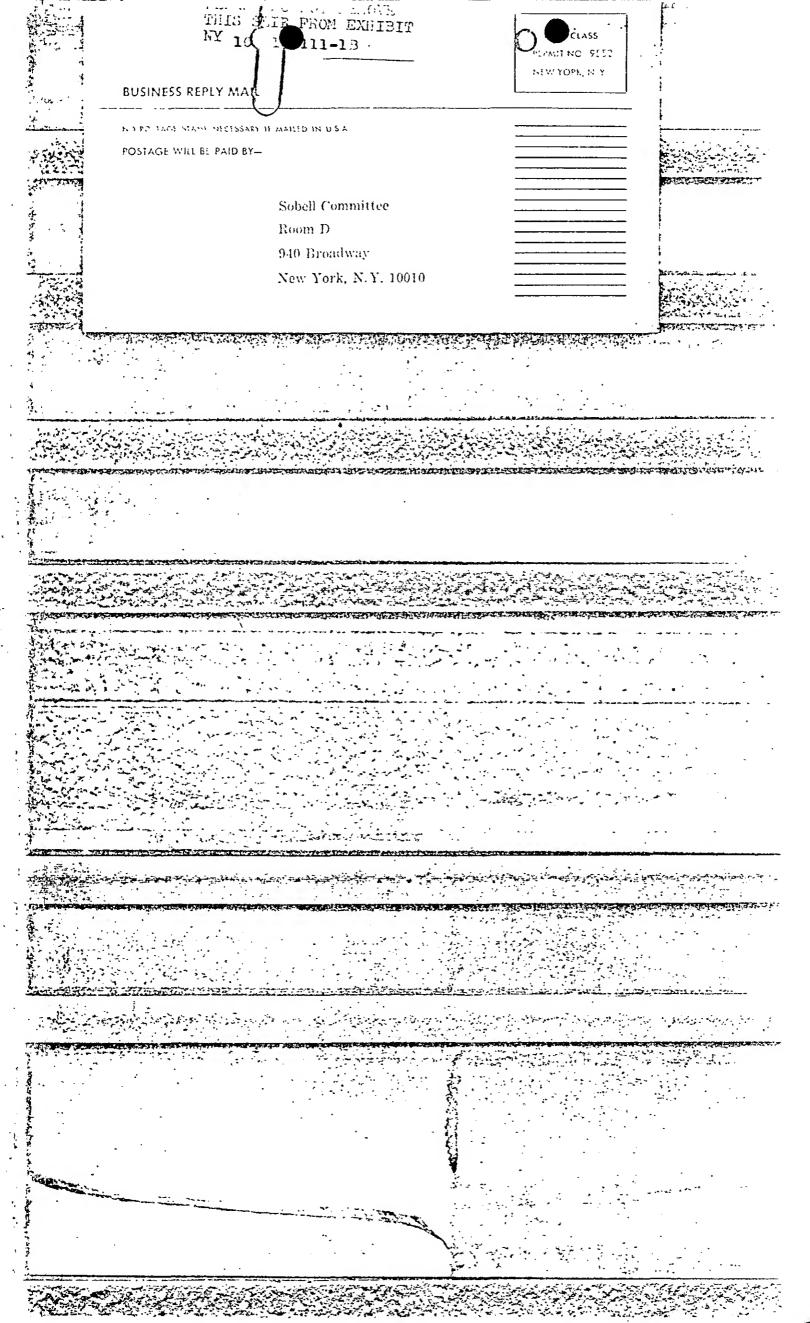
Morton Sobell is no great shakes. Neither were Sacco and Vanzetti. We made them great. We can unmake Sobell, and deprive him of his power to torment us, only by freeing him. But then the Rosenberg case will break wide open again.

Do we dare? Do we love our country? Do we love it enough to want to set it free from its shame? The address of the Sobell Committee is 940 Broadway, New York 10.

-THEOPHRASTUS SUCH.

reprinted as a public service by

The Committee To Secure Justice for Morton Sobell 940 Broadway, N. Y. C. AL 4-9983





940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

Algonquin 4-9783

"I WANT THE FIGHT ON MY BEHALF TO DE FOR A FULL PARDON BASED ON MY INNOCENCE. "

Marlow

From the beginning everything was calculated to frighten me, the abduction, the farce of a hearing in Laredo, being dragged before the Commissioner in New York and hearing prosecutor Saypool let loose a torrent of lies. Then followed the "conference" in which I was told that I was doomed and might as well give up. Later there was Alcatraz and then Atlanta. But it didn't frighten me, it couldn't!

After all, I knew the charges were baseless, but I wasn't naive enough to believe this guaranteed my safety. They wanted me for a false prosecution witness! Yet the knowledge of innocence gave me the strength to match their stares, even if I couldn't match their hatred.

There never arose a question about how I should proceed. All their threats and anonymous letters didn't affect me. After the painful education of the trial as it was conducted by Judge Kaufman, and the perjuries and power plays of prosecutors Irving Saypol, Myles Lane and Roy Cohn, how could I ever permit myself to be used as their tool?

To have heard the sentences of death delivered against two innocent people made me understand the heavy burden laid upon the conscience of our country. I had hoped that some part of that savage imprint upon our history could be erased through calm and reason, but I have not seen this. Rather this "legal" murder was followed by the illegal murders of Medgar Evers, William L. Moore, the Birmingham children, and our President.

Less than five months after the execution of the Rosenbergs, President Eisenhower commuted the death sentence of Tomoya Kawakita, convicted of treason for his torture of GIs in a Japanese POW camp. Recently Kawakita was freed and permitted to return to Japan. Douglas Chandler, too, convicted of treason for helping the Nazis in Germany, has been freed. Why was the death sentence of the Rosenbergs not commuted, and why have I not been set free?

In all that has transpired through nearly 14 years, I have no regret for anything, done or undone, by myself or those who have worked in my behalf. When the question of clemency was first raised it pained me beyond anything I had experienced. It was foreign to my nature, repulsive, but understandable as a procedure.

It has at this late date, however, become a farce to set aside the merits of our case and speak of mercy, humanity, of clemency and amnesty. I want the fight on my behalf to be for a full pardon based on my innocence and nothing else. It is much easier for me this way, and it will better serve justice. Monton Sobell

December 10, 1963

٠.;

Your signature and contribution will carry on Morton Sobell's fight.

Morton Sobell is INNOCENT say:

HAROLD C. UREY

公司の書のはの情報に、「無難無対してきます」になってい

e e e e e

@ @ MARTIN BUBER

PABLO CASALS

BERTRAND RUSSELL

LINUS PAULING

CITIZENS' FULL PARDON FOR MORTON SOBELL

In the national effort to end the atmosphere of immorality and malice that concerns us all, we must come to grips with the festering case of Morton Sobell.

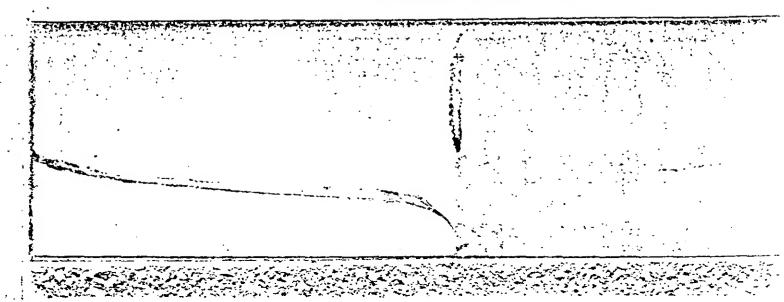
"I am innocent," Morton Sobell has cried out through more than 13 years of imprisonment. We believe him. Some of the most eminent persons in the United States and abroad have found the evidence barren, questioned the fairness of the trial, and voiced shock at the extreme cruelty of the 30-year sentence.

As responsible citizens, in whose name Morton Sobell's imprisonment continues, we cannot be associated with such a denial of justice to a man and his family, and to our nation's ideals. We wish to join in granting on behalf of the public conscience a CITIZENS' FULL PARDON to Morton Sobell.

We respectfully call upon the President of the United States to make this an official act of the United States Government.

Name	Address	Occupation

Those who are asking freedom for Morton Sobell includ



हिन्दिति । सम्बद्धाः स्टेन्स्

Rabbi Morris Adier, Detroit Rev. David Andrews Baltimore Dr. Roland H. Bainton, New Haven Rabbi J. S. Bass. Mars. Dr. John C. Bennett, New York Chief Rabbi E. Berlinger, Amsterdam Rabbi Samuel Bernstein, New York Rabbi Balfour Brickner, New York Chief Rabbi Israel Brodie, London Dr. Samuel B. Cassel, Cicyeland Rabbi Samuel Bernstein, New York
Rabbi Baltour Brickner, New York
Chief Rabbi Israel Brodee, London
Dr. Samuel H. Cassel, Creveland
Burns Chalmers, Washington, D. C.
Rev. Henry Hitt Crane, Detroit
Rabbi Maurice B. Eisendrath, New York
Rev. John E. Evans New Jersey
Rabbi Jolian B. Festeiman, New Orleans
Rabbi Morris Fishman, New Orleans
Rabbi Jolian B. Festeiman, New Orleans
Rabbi Morris Fishman, New Orleans
Rabbi Morris Fishman, New Jersey
Br. Morris Fishman, New Jersey
Br. Morris Fishman, New Jersey
Br. Morris Golomory New York
Rabbi Harry Halbern, New York
Rev. John Havner Holmes, New York
Rev. John Havner Holmes, New York
Rev. John Havner Holmes, New York
Rev. John Pacil Johes, Ashfield, Mass.
Rev. Charles Kean, Washington, D. C.
Rev. Thomas Milgore, New York
Rev. John M. Krumm, New York
Rev. John M. Krumm, New York
Rev. John M. Krumm, New York
Rev. Ernest Martin, Washington, D. C.
Rev. Peter McCormack, San Francisco
(Chaplain at Alcatrazi
Dr. Uri Miller, Baltimore
Dr. Reinhold Niebuhr, Cambriage
Chief Rabbi S. Rodriques Pereira, Amsterdam
Dr. Dryden Linsley Pholps, Berkeley
Rev. Nelson Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Paradona
Rabbi Cr. J. Soetendorp, Ansterdam
Dr. Dryden Linsley Pholps, Berkeley
Rev. Nelson Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Paradona
Rabbi Cr. J. Soetendorp, Ansterdam
Dr. Dryden Linsley Pholps, Berkeley
Rev. Nelson Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Paradona
Rabbi Cr. J. Soetendorp, Ansterdam
Dr. Dryden Linsley Pholps, Berkeley
Rev. Nelson Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Paradona
Rabbi Cr. J. Soetendorp, Ansterdam
Dr. Dryden Linsley Pholps, Berkeley
Rev. Nelson Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Paradona
Rabbi Cr. J. Soetendorp, Ansterdam Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Pasadona
Rabbi Dr. J. Scetendhip, Anisterdam
D. Anisterial Scetendhip, Anisterdam
D. Anisterial School, Anisterial
Dr. Francin S. Islokot, Misso
Chief Rabbi L. Vorist, Rotterdhip,
Rabbi Jacob J. Weinstein, Chicago
Rev. Samuel A. Wright, Iri. Betrialey
1500 Clergy in the United States
Council of Churches—National Coolial Area
The Methodist Federation for Social Action
Palo Alto Ministerial Association
Social Action Commission of the Union of Paio Alto Ministerial Association
Social Action Commission of the Union of
American Habrew Congregations
Social Action Commission of
United Synagogue of America

Dr. William C. Davidon, Chicago Prof. Lloyd Donnell, Chesterton, Ind. Dr. Edward D. Korn, Bethesda, Md. Dr. Philip Morrison, Ithaca Dr. Robert Reid Newell, Stanford, Cal. 49 International Nuclear Scientists, Geneva

Dr. Thomas I. Emerson, New Haven Osmond K. Fraenkel, New York John F. Finerty, New York Dr. Harrop A. Freeman, Ithaca Dr. Harrop A. Freeman, Ithaca
Geraid Gardiner, London
Max Hab cht, Geneva
Former Atty, Gen. Robert W. Kenny, Calif.
Harold V. Knight, Denver
William Kunstler, New York
Prof. Stephen Love, Chicago
Daniel G. Marshall, Los Angeles
Louis F. McCabe, Philadelphia
Prof. Gerhard O. W. Muelter, New York
Dr. Luis Sanchez Ponton, Mexico City
Joseph Rauh Washington, D. C.
Prof. Fred Rodell, New Haven
Prof. Malcolm Sharp, Chicago
Cr. Polit W. Tanonh Berkeley
Chicago Tr. Wich agron, D. C.
Row and Watto, New York
Beigian League for Rights of Man

: 山区,山区 雪島温温

U. S. Congressman John Blatnik, Minnesota Lord Chorley, England Former Congressman Randall S. Harmon, Indiana U. S. Senator William Langer (1886-1959) U. S. Senator Lee Metcall, Montana Former Congressman William Meyer, Vermont Cov. Publish J. Olego. California (1975-1959) Gov. Cuibert L. Olson, California (1876-1962) Lord Boyd Orr, London Italian Senator Franco Parri Sydney Silverman and
Thirty Members of Parliament, Britain

回回是加加及可加加。

Harry Barnard, Chicago Carleton Beals, Connecticut Robert Bolt, Engiand Dorothy Day, New York James T. Farrell, New York Waldo Frank, Truro, Mass. Dr. Erich Fromm, Mexico City Maxwell Geismar, Harrison, N.Y. Maxwell Geismar, Harrison, N.Y.
Nathan Glazer, Washington, D. C.
Nat Hentoff, New York
Murray Kempton, Washington, D. C.
Irving Kristol, New York
Doris tessing, England
Dwight Macdonald, New York
Milton Mayer, Carmel, Cal.
Carey McWilliams, New York
Alberto Moravio, Italy
Lears Mumford, Amenia, N.Y
Silving Maximum Call May
Iran Phill Sintre, France
Alan Stillioe, England Alan Stillion, England Harvey Swados San Francisco Kenneth Tynan, England Arnold Wesker, England John Wexley, Bucks County, Pa. Dr. William Appleman Williams, Eugene, Ore.

Roger Baldwin, New York
Helen M. Beardsley, Calif.
Warren K. Billings, San Francisco
(Mooney-Billings Case)
Jessie C. Binford, Chicago
Mrs. Paul Blanchard, Washington, D. C.
Lucy P. Carner, Philadelphia
Harold A. Cranefield, Detroit
Esther Dahl, Sweden (Joe Hill's sister)
Mrs. A. Powell Davies, Washington, D. C.
Elmer Davis, 1890-1958)
Max Eastman, New York
Elizabeth, Queen Mother of Belgium
Federico Fellini, Italy
Hallock Hoffman, Pasadena
Lewis W. Hoskins, Richmond, Ind.
Leo Hurwitz, New York
Gardner Jackson, Washington, D. C.
Carlo Arturo Jemelo, Italy
Russell Johnson, Boston
Worns Laub New York
Dr. Le Wheel, New York Russell Johnson, Boston
Merris Laub, New York
Dr. Lea Mayer, New York
Dr. Gedner Marphs, Tapeka
Jerome Nathanson, New York
Mildred Scott Olmsted, Philadelphia
Clarence E. Pickett, Philadelphia
Howard B. Radest, New Jersey
Norman Thomas, New York Vincenzina Vanzetti, Italy (Bartolomeo's sister) Mrs. Clara M. Vincent, Michigan Women's International League for Peace and Freedom

Christian Century Minority of One The Nation Magazine The National Guardian The New Republic The New York Post The Progressive Magazine
The Washington Daily News

STATE OF THE PARTY OF THE PARTY



Morton Sobell is INNOCENT say:

HAROLD C. UREY

MARTIN BUBER

PABLO CASALS

BERTRAND RUSSELL

LINUS PAULING

CITIZENS' FULL PARDON FOR MORTON SOBELL

In the national effort to end the atmosphere of immorality and malice that concerns us all, we must come to grips with the festering case of Morton Sobell.

"I am innocent," Morton Sobell has cried out through more than 13 years of imprisonment. We believe him. Some of the most eminent persons in the United States and abroad have found the evidence barren, questioned the fairness of the trial, and voiced shock at the extreme cruelty of the 30-year sentence.

As responsible citizens, in whose name Morton Sobell's imprisonment continues, we cannot be associated with such a denial of justice to a man and his family, and to our nation's ideals. We wish to join in granting on behalf of the public conscience a CITIZENS' FULL PARDON to Morton Sobell.

We respectfully call upon the President of the United States to make this an official act of the United States Government.

Name	Address	Occupation
		•
		<u> </u>

Return to Sobell Committee 940 Ediway, New York, N. Y. 19010

der share the same of the same

آوا

Those who are asking freedom for Morton Sobell includ

學型源 31360

Rabbi Morris Adler, Detroit
Rev. David Andrews, Battlander
Dr. Rolland R. Battlon, New Haven
Rabbi J. S. Bass, Mars.
Ort. John C. Bennett, New York
Chief Rabb. E. Berlinger, Amsterdam
Rabb Samue, Bernstein, New York
Rabbi Barus Brickner, New York
Chief Rabbi Israel Brice e. London
Dr. Samuel H. Cassel, Creational
Burns Chalters, Washington D. C.
David Cofwell Washington D. C.
David Cofwell Washington D. C.
Rev. Henry Hit. Crane. Decroit
Rabbi Macrice B. Einemant, New York
Rev. Lohn E. Ellan, New Jersey
Rattl. Johan B. Fabetren, Am. Orleans
Rattl. Washington New York
Rev. Lohn Angles and Angles and Property of the Common Service of Service of the Common Service of Service of

Dr. William C. Davidon, Chicago Prof. Lloyd Donnell, Chesterton, In Dr. Edward D. Korn, Bathasda, Md. Dr. toward D. norn, decliesus, mu. Dr. Philip Morrison, Ithaca Dr. Robert Reid Newell, Stanford, Cal. 49 International Nuclear Scientists, Geneva

医言言者 可吃用吃得亏害

Prof. Dr. M. A. Beek, Amsterdam
Prof. Cerk Bodde, Philadelphia
Prof. Marray Branch, Atlanta
Dr. Edmand Cohn, New York
Dr. Bernard D. Davis, Boston
Prof. Robert Finn, Paic Atlo
Prof. Erwin R. Goodenough, Cambridge
Dr. A. Eustace Haydon, Chicago
Dr. Paut Holmer, Minneapolis
Prof. Soney Hook, New York
Prof. Dr. Isack Kisch, Amsterdam
Dr. Paul L Lehmann, Cambridge
Dr. Bernard Loomer, Chicago
Dean Donal E. J. Machamara, New York
Dr. Alexander Meiliojann, Berneley
Prof. Victor Paschins, flow York
Prof. Daie Ponton, Chicago
Prof. Victor Paschins, flow York
Prof. Daie Ponton, Chicago
Prof. Daie Ponton, Chicago
Prof. Victor Paschins, flow York
Prof. Daie Ponton, Chicago
Prof. Daie Ponton, Chicago Prof. Dr. M. A. Beek, Amsterdam From Birman, Francisco Market Market District Occur K. Bioe. On spet H.d. B. C. Dr. Eine (Day Westerns, New York Prof. B. H. Wusson, Princeton Prof. Francis D. Worm-th, Salt Lake Dity

宣言宣言 1000份 宣言宣

Dr. Thomas I. Emerson, New Haven Comunal X. Fraenkel, New York John F. Finesty, New York John F. Finesty, New York John F. Finesty, New York Dr. Harrop A. Freeman, Ithaca Gerald Gardiner, London Max Habicht, Geneva Former Atty, Gen, Robert W. Kenny, Calif. Harold V. Knight, Denerer Wilham Kunstler, New York Prof. Stephen Love, Chicago Daniel G. Marshall, Los Angeles Louis F. McCabe, Philadelphia Prof. Gerhard O. W. Mueller, New York Dr. Luis Sanchez Ponton, Mexico City Joseph Rauh, Washington, D. C. Prof. Fred Rocell, New Haven Prof. Malcolm Sharp Chicago C. Prof. W. Incom. Br. Chicago C. Prof. R. Chicago C. Prof. M. Chicago C. Prof. M. Chicago C. Prof. R. Chicago C. Prof. Beigian League for Rights of Man

स्यव्यात्रात्रं श्रीहरू

U. S. Congressman John Blatnik, Minnesota Lord Chorley, England Former Congressman Randall S. Harmon, Indiana U. S. Senator William Langer (1886-1959) U. S. Senator Lee Metcalf, Montana Former Congressman William Meyer, Vermont Gov Culbert L. Olson, California (1876-1952) Lord Boyd Orr, London Italian Senator Franco Parri Sydney Silverman and Thirty Members of Parliament, Britain

हिया है। जाता है कर जिल्ला

Harry Barnard. Concago
Carleton Beals. Connecticut
Robert Bolf. England
Derothy Day. New York
James T. Farrell. New York
Wards Frank, Truo Mass.
Dr. Erich Fromm. Mexico City
Maxwell Geismar, Harrison, N.Y.
Nathan Giater, Washington, D. C.
Nat Hentelt, New York
Murray Kempton, Washington, D. C.
Irving Kristof, New York
Daris Lessing, England
Daight Macdonald, New York
Minton Mayer, Carmel, Cal.
Carcy McWilliams, Naw York
Aborto Moravio, Italy
Lew Marting America
Les Marting America
Santas San Francisco Ann Sunto, England
Harry Swacas San Francisco
Remyth Tynan, England
Arnota Wesker, England
Jona Wesley, Bucks County, Pa.
Dr. William Appleman Williams, Eugene, Ore.

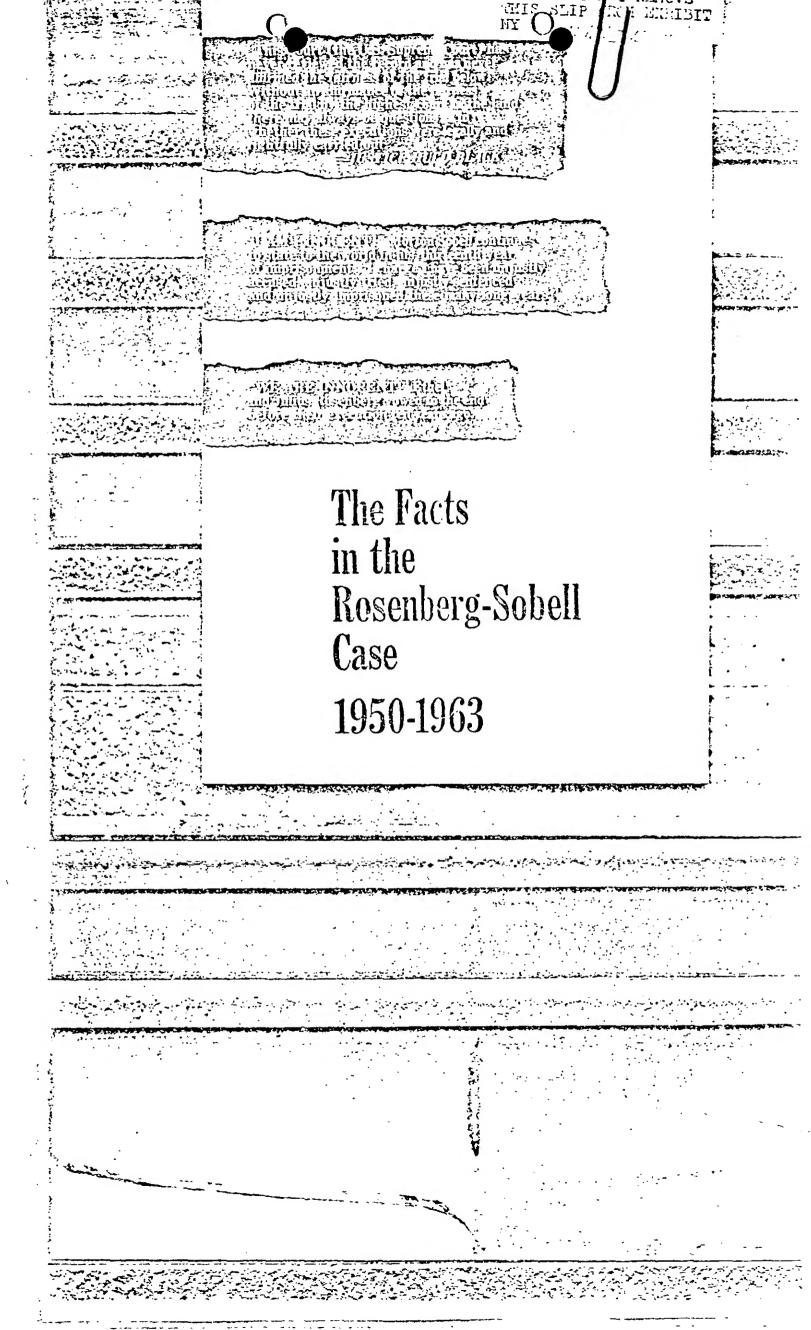
The Engrades

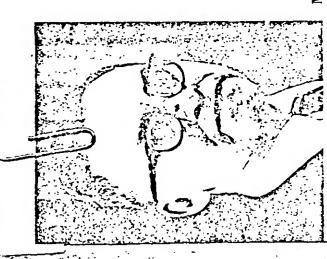
Roger Baldwin, New York Roger Beldwin, New York
Heien M. Beardstey, Calif,
Warren K. Billings, San Francisco
(Mooney-Billings, San Francisco
(Mooney-Billings, Case)
Jesse G. Binford, Onloage
Vis. Paul Blanchard, Washington, D. C.
Lucy P. Carner, Frinade, pha horold A. Craner eld, Detroit
Estner Dahi, Sweder Lice Hill's sister!
Mrs. A. Powell Dayles, Mashington, D. C.
Elmer Davis (1890-1958)
Max Eastman, New York Elmer Davis (1890-1958)
Max Eastman, New York
Elizabeth, Queen Mother of Belgium
Federico Fellini, Italy
Hallook Hollman, Pasedena
Lewis W. Hoskins, Richmond, Ind.
Leo Hurwitz, New York
Gardner Jackson, Washington, D. C.
Oatle Arturo Jemero, Italy
R. Iself School, British
United Scott Climated, Philipper School
Market Philipper School
Clarence F. Beautiful J. Phil Action of Vising Constant Visit Street Scott Offmate d. Philipped Philadelphia Glarence E. Pickett, Philadelphia Howard B. Radest, New Jersey Norman Inomas, New York Vincenzina Vanzetti, Italy (Bartolomeo's sister) Wiss, Clara M. Vincent, Michigan Women's International League for Posses Women's International League for Peace and Freedom

信定量。Andry Miny

Christian Century Minority of One The Nation Magazine The National Guardian The National Guardian
The New Republic
The Yew York Post
The Progressive Magazine
The Washington Daily News

٠.:





Morton Sobell

SAME OF DESIGN

門を一般のないのでしていると、世代の他に

がは東京の変化が

Historians now call it the era of McCarthyism, It was a time of fear and suspicion.

Our nation and been assure the atomic bomb would remain an American monopoly for years to come. When Russia unexpectedly expladed a bomb in 1949, "they stole it from us" was the panicky national response and a search for spics was on.

But Time Magazine commensed on Jan. 2, 1950:

"For the last decade, there has been no 'atom-bomb sceret' which Russian spies needed to steal, This fact has been asserted again and again by the Me ic Energy Commission... Leveneerk the A.E.C.'s files we and documentary proof. Russian scientific papers on the preset, published in 1940, before the U.S. started its atom bomb peopet... The basic 'scerets' were already in their files, Unit is week the Russian papers have been known to few. If the resets they contain had been properly publicized, a lot of spyrchase x and pointless orating might have been arough."

Color to Charles

It was only when he still instated on his innocence that his name was listed as a defendant. The only "overt acts" charged were five conversations which be allege !! had with Julius Resemberg, These Soliell swore their innorence. Soliell was pressured to become an responsible for Russia lawing the bomb. His wife was arrested a conversations were not to be rentioned at the trial. In the beadlines by those still insisting it was espionage, Headlines in July, 1950, blared the arrest of Julius Beenberg as the "atom spy" who was "atom spy" even though the 'cod judge was later to say that Sobell was not connected with the stomic project. The Rosenbergs and accusing witness while the gootion of a trial for him was delayed during the time of the Kees Chibbin, in a New York constituen Suddenly the cause of Russia's Asbumb was said to be discovered short while later, In August, Morton Sobell was added as anothe he accused were purity ever



and the second s

THE STATE OF LAND

The Rosenbergs were a New York-born couple, Julius Rosenberg had been an engineer and at the time of his arrest had his own machine shop. The couple had two sons.

Morton Sobell, who grew up in the Bronx, was a radar specialist and an evening instructor at Brooklyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his arrest. He and his wife, Helen, have a son, Mark, now 14, and by Mrs. Sobell's previous marriage, a daughter, Sydney.

Marton Solud and Julius Rosenberg had known each other at the City College of New York.



A key prosecutor, along with Irving Saypol and Myles Lane, was Roy Cohn, later to become Senator McCarthy's chief assistant. Cohn was discredited in the Army-McCarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.



The gap between the headlines and the facts was wide. Neither the Rosenbergs nor Sobell were charged with espionage or treason. The charge was "conspiracy to commit" espionage, The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

The property of the Child of the contract

In opposition to the defendants' plea of innocence, no documentary evidence was presented in the trial. The case rested on the testimony of government witnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, brother of Ethel Rosenberg, Greenglass, a mechanic at Los Alamos, did not claim to have stolen any documents or photographed any papers. He told a tale of having eavesdropped on scientists and from

"Morton Soludi is not related to the brothers, Dr. Robert Solden and Jack Solde, who were in the public eye to an entirely different enset.

their conversation drawing diagrams, giving atomic secrets. On cross-examination be admitted have recorded his science courses at Brosse lyn Polytech. Dr. Harold C. Ures. Nabel prize atomic scientist who studied the record subsequents. It found "patently perfured" prosecution testimony, asserted to been important, a man of Green-glass's capacity is wholly in an edge of transmitting the physics, chemistry and mathematics of error atomic bomb to anyone." Green-glass was sentenced to 15 years, eventsonment but is now free after having been released at the end of 1969.

Of Greenglass's testimony, if . U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."

Marie Moderney September

中では、江本の大学の一、中であると

Only one witness, Max Eliteber, accused Sobell of any involvement. Eliteber, admitting previous per rry, testified that he was "scared to death." The judge told the percent you do not believe the testimony of Max Eliteber as it pertens to Sobell, then you must acquit the defendant Sobell."

Elitcher did not claim Sobell ever passed or received any secret material. He told the jury it Sobell, although he supposedly thought the FBI was following i.m. took a 35mm film can reentents never specified) to Julius Boot, erg. Elitcher did not claim he Sobell give anything to Roseneerg, Elitcher has never been prosecuted for his confessed perjung, out has been helped to find employment, as a reward for his testing ey.

Soboll's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the witness stand redship wanting to take the stand, refluctantly bowed to their legal opinion.

会は、自然のでは、これのでは、これでは、 できる

Soboll, But Gold, already under a 30 years sentence, described himself as the man to whom Goodlass gave the atomic data be said he obtained by eavesdropping an scientists. In a later trial, a man whom Gold accused went free eiter the court heard Gold's admission of having lived such a idea of lies "it is a wonder that steam didn't come out of my ears." Gold's still in prison.

Phizabeth Bentley, who had is some a frequent witness at the trials and Congressional hearings of the day, didn't claim to know the Rosenbergs or Sobell hut add it oder with testimony on espionare methods, She was subsequently described in other proceedings. For example, she once accused a set of having supplied the Russian with advance information or a boolitie's raid on Tokyo which

was pleaned while the accused was in the Air Corps, But it was proven that the man wasn't in the Air Corps until months after he raid. Former U.S. Congressman Byron Scott of California charged before a Congressional committee that 37 discrepancies had been found in Elizabeth Bentley's testimony in that case.





Ethel Rosenberg

Julius Rosenberg

THE STREET

he verdict was "guilty." Dr. Harold C. Urey has said:

ing any member of this jury to have your home after roting for "This jury was bearing this trial in the midst of the McCarthy upset about these things and it would seem to me very difficult hysteria during the Korcan War when people were very much acquittet and retained his job or his position in his community.

Judge Irving Kaufman, expressing the hysteria of the time, inoned against the Rosenbergs: ". . I believe your conduct in putting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the homb has abready raused, in my opinion, the Communist aggression in Korca, with the resultant casualties exereding 50,000 and who knows but that milindeed, by your betrayal you undoubtedly have altered the course of ions more of innocent people may pay the price of your treason

espionage in the United States during peacetime, No woman had Is condenned them to death. Noback had ever been executed for been executed by the federal government since 1865. nistory to the disadvantage of our country,"

"The evidence in the case did not point to any activity your part in connection with the atomic bomb project. To Morton Sobell the judge said:

He condemned Sobell to 30 years, and recommended against

According to the second of the substitute of the second of

March (1999)

Since the trial the following you evidence has been presonted in Section of the same

- was an habitual liur who had or of hysteria and run note through · Memoranda of David Greeners lawyers revealing that Greentlass, according to documents in his own handwriting, told conis wife confided that her husband deal was made with the procession to lighten Greenglasis punishtallways shouting incoherence, and memoranda indicating that ment in exchange for his testing age. licting stories; that Greener
 - Proof that a console table tre Rosenbergs owned was an ordinary. inexpensive table bought in Mee's as they had testified. The pry gift from the Russians hollow Logt for serret microfilm work. cution had claimed the table, her produced in court, was an expe
- · Proof that the prosecution cought a passport photographer to court secretly to observe the It enbergs. Later, on the stand, be claimed he was identifying then upon seeing them for the first time in court,
- . Proof that Morton Soliell and kidnapped from Mexico at the tive. The new evidence showed and the Mexican powernm at not only claimed fraudulently that the Mexican government had deported instigation of the prosecution, ad that at the trial the prosecution Sobell, thus giving the court to unpression that Sobell was a fugidid not deport Soliell, but to a ation to see that its law were ... violated by an international ker apping.
 - manner with proper tourist or is and air tickets, and in their own inquiries under other nanges 5 r passage to France and Israel. Hug name. Sobell, as a scientist at teacher with left-wing views, has while in Mexico on vacation is thought of living abroad. He made · Proof that Sobell and his family went to Mexico in a normal admitted that hysteria in arphi . United States frightened him, and he lived openly in Mexico City under his own name where he eg be reached readily, and not as a fagitive.

HEARING IN COURT. Each "one, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN avoid a hearing on the merits.

अध्यक्षिति हिंग्सिक स्थानिक स्

Defenders of the Rosenia coning verdict often claim that the Supreme Court has review the case many times and found nothing wrong. The fact is, at Active Black has stated, This Court has never reviewed this proft and has never affirmed the fairness to review a case in no way. Gos its merits, Further, appeals are of the trial below." The Sagrewer Court has emphasized that refusal dmited to logal points, not the exection of innoceme or gent or which そうかん とういん witness was telling the truth

" " Appeals, the late Jerome Frank, One judge of the U.S. C.

THE PERSON OF THE COUNTY OF THE PERSON OF TH

Sobell's case should have been considered separately from that of the voted for a new Subell trial in a dissenting opinion holding that Rosenbergs.

Appeals used in one decision describing prosecution tactics in getting that if the defense had raised the question sooner, a mistrial should "Wholly reprehensible" was, the expression the U.S. Court of publicity prejudicial to the defense during the trial. The court said

Rosenberg's answers at the trial could not be believed because she had pleaded the 5th Amendment to the same questions previously before a Grand Jury, Supreme Court rulings in other cases since the Recent court decisions have emphasized other prosecution unfairness. The prosecution repeatedly implied to the jury that Ethel have been declared.

On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that under today's interpretation of the law the trial of Ethel and Julius Rosenberg and Morton Sobell would have been considered unfair. But the court said it is too late for Sobell to raise the point. Legally speaking, the Appeals Court said, it would not be too late for Ethel execution have branded such tactics as unfair and illegal. Rosenherg, if she were alive, to raise the point.

AND A POT WANTED

thousands marching before the White House, and pleas pouring in from throughout the world. Pope Pius XII, the President of France, paralleled only by such cases as the Mooney-Billings and Succoand Albert Binstein were among those who intervened for elemency. The furor that the Rosenberg-Sobell-trial unleashed has been There were public meetings and demonstrations, debates in the press. Vanzetti cases in the United States and the Dreyfus case abroad.

Morton Sobell received the news in Akatraz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, Julius and Ethel Rosenherg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death later, on June 19, 1953, with the execution moved ahead until just a stay of execution, braving later moves for his impeachment. The Supreme Court had adjourned for the summer, but it was called back into unprecedented session to overrule Justice Douglas 6-3 while the executioner stood by in Sing Sing prison. A few hours before sundown to avoid having it occur on the Jewish Sabbath, A legal battle raged until the last moment. Justice Douglas granted chamber with the offer to spare them if they would admit guilt.

where his wife could only see him through a pane of glass and talk through a telephone when she vested him. Widespread public protests against this treatment an isong vindictive resulted in his transfer to Atlanta Federal Pengentiary, where he is now held.

The second of th

THE RESERVE OF STREET

.

THE REAL PROPERTY.



मानार दिन अवधा उत्तिक

The reach states and a selection of the

regard-the 30-year sentence as excessive and believe he should now includes eminent persons of nevey viewpoints the world over (see partial listing on page 10.1 There are appeals by those who question the fairness of the trial, by the a who believe the Rosenbergs and Sobell innocent, by those who say the Rosenbergs were guilty but Sobell is innocent, and even by those who accept Sabell's guilt but The list of those urging Scheets release has grown each year, It be released.

A special independent study was made by a noted group including Reinhold, Nichuhr of the Union Theological Seminary. The puncl of inquiry called the case arrand Sobell "vague in content and Edmond Cahn, professor of law at New York University, and Dr. slender in proof" and recount; they a commutation of sentence.

HOLES INTO STATE TO SELLEN THE

residential spokesmen in the White House were still optimistic about favorable action. A "new study was said to be underway in the Justice Department. But .: turned out that those assigned to the study were the same holderers in the department who previously had the responsibility of defining the verdiet and the execution Refore his election as Prespect, then Senator John F. Kennedy had his aides meet with person appealing for Sobell and gave every impression of planning active in his behalf. After the election, of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole by ird.

Appealing teachers

for him, Rabbi Balfour Brassers, director of the Joint Contailssion on Interfaith Activities of Section of American Release Contails Morton Schell is officially ear the payole, He has a job waiting Linds of Contains a selection of

> 1952, after he refused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to

• • • •

Rations and the Central Conference of American Rabbis, has agreed to serve as his parale advisor. Sobell's wife, his mother, and his children have stood by him, working for his freedom, and the family has maintained as close a relation as possible through prison visits and correspondence.

Donal E. J. MacNamara, Dean of the New York Institute of Criminology, describes Solvell as the ideal candidate for parole under every accepted criterion. Notables from throughout the country testified in Washington in behalf of Solvell at a parole hearing and recommended that he he allowed to return to society and make his contributions as a scientist.

Parole has been denied. No reasons have been cited.



The Rosenberg-Sobell case runs through the fabric of the last decade. There have been countless statements by authorities that Russian scientific capacities were woefully underestimated and Soviet development did not come from espionage. Yet two persons are Burried in a grave on Long Island on the accusation that they gave

Newspaper columnist Jack Scott has commented in the Vancouver Sun: "Sobell, himself, has continued to protest his innocence, although a confession, whether true or false, would lighten his stag-sering sentence... I happened to be reading a booklet on the witchcraft trials in Salem, Mass., when I came across the Sobell file. One paragraph tells of 13 women and six men hanged as witches and concludes, 'Fifty persons confessed and were freed.' The comparison with the Rosenberg-Sobell case is unavoidable."



Professor Francis D. Wormuth of the University of Utah, authority on Constitutional law, calls Sobell "the man in the iron mask of American jurisprudence" because of fear in Washington of opening the Pandora's lox of the Rosenberg-Sobell case.

A committee of eminent Americans is seeking to form an independent Commission of Inquiry that would investigate the entire case from top to hottom and render a verdict in the light of present perspective.

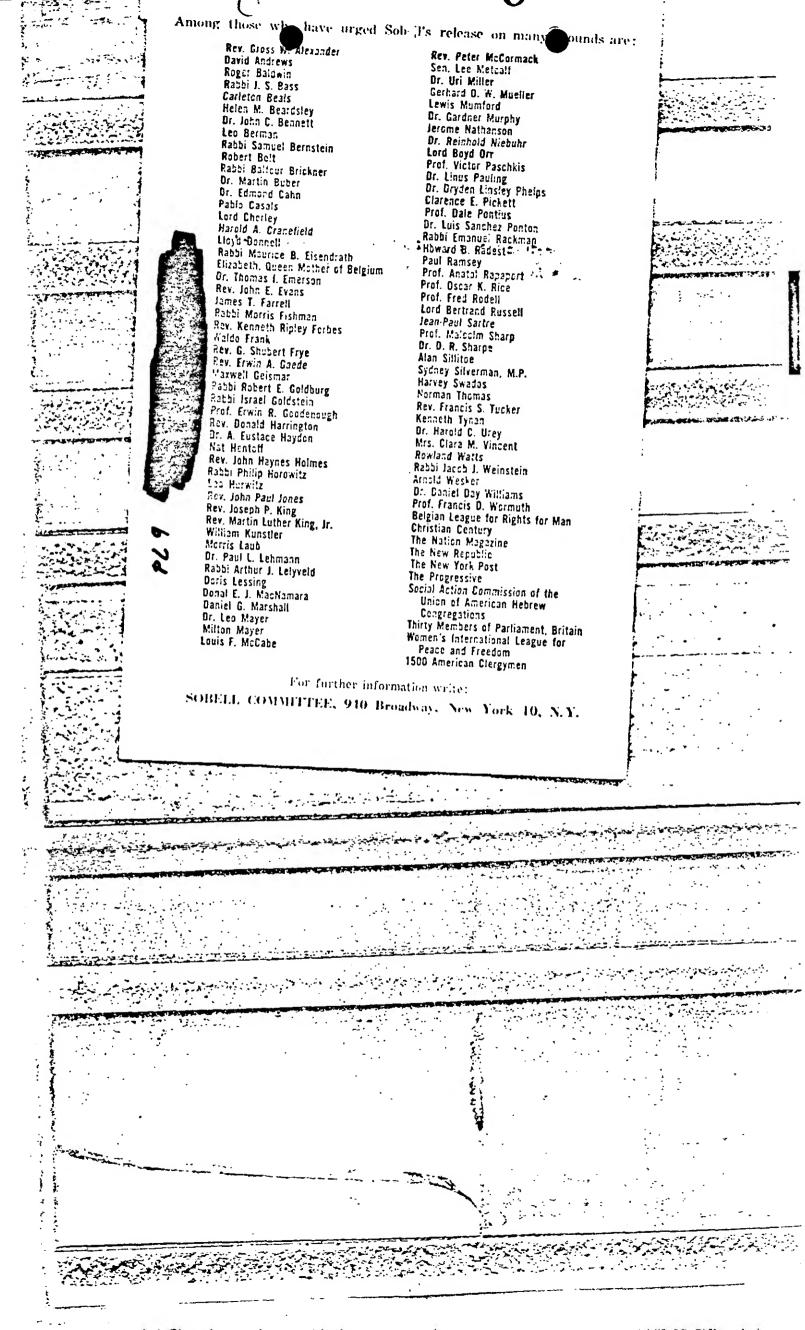
Meanwhile, there is a continuing urgent effort to free Morton Sobell through renewed appeals in the courts, to the parole board, to President Kennedy for executive action, and to the public conscience.

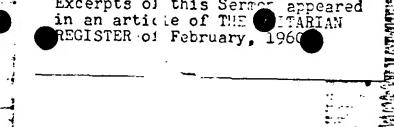
THE COLUMN

Write to President Johnson urging that he free I The Resident Sobell and name an independent inquiry commission into the Resemberg-Sobell case.

- 2. Show to your organization or home gathering the new 16mm sound film "Morton Sobell—A Plea for Justice" (30 minutes).
- 3. Send a contribution to the Sobell Committee at the address below to help carry on its work,
- 4. Circulate this backlet and other available material for more intensive study. The full trial record can be bought for \$6 per set of 8 volumes, or it can be horrowed.

SOBELL COMMITTEE 940 Broadway, New York 10, N.Y. Al. 4.9983





WHEN

CONSCIENCE

SPEAKS

A Sermon Delivered by Reverend Samuel A. Wright, Jr.

WHEN CONSCIENCE SPEAKS

"The execution took place on August 23, 1927..... The troops were called out to protect the prison and the home of Judge Thayer, who never needed much of a guard because, for the few unhappy years he lived, he was a serviceable red tag for the 'reds.' Who judged Dreyfus? Who judged Muoney? A dead judge isn't of any use to the opposition..... Vanzetti said: 'I want to thank you for all you have done for me, warden. I want to tell you that I am innocent and that I have never committed any crime but sometimes some sin. I thank you for everything you have done for me. I am innocent of all crime, not only this, but all. I am an innocent man. I wish to forgue some people for what they are now doing to me.' Thowarden, who was in no way responsible, was hardly able to make the prescribed announcement after the execution."*

This was the report of Phil Stong, at that time feature writer for the North American Newspaper Alliance. I was 8 years old in 1927, but I do recall the question of injustice being raised at the dinner table, attached to the names Sacco and Vanzetti. I remember my father saying, "They must be guilty or they would not be executed," Sacco and Vanzetti were arrested during the great red hunt of 1920; a shoe workman and a pushcart fish peddler. As Phil Stong reported at the time of the trial, "There had been so much newspaper agitation against the murderous 'reds' that the chauvinistic louts on the jury would have convicted Bart Vanzetti of riding a broomstick if he had had a splinter in his finger. Being a wandering fish peddler, his alibi was worthless," *

I was just learning to walk when Sacco and Ventetti were arrested, and I must admit that until a few weeks ago, these names were to me only some xid of a war-cry, like "Remember the Alamo," where of a war-cry, like "Remember the Alamo," where our someone felt there was an unjust accusation—a crime. As I read the reports of the case, I ran across this statement by a conservative editor of the Boston Transcript. "No, of course they weren't guilty. When you are familiar with the transcript, which you can't be through the newspaper reporting of the trial, you'll see that it's more or lens insulting to anyone's intelligence to ask that question.... If they'd been railroaded intelligently it would have saved all this."."

I have recently finished reading the one thousand seven hundred and fifteen pages of transcript of the Rosenberg-Sobell "conspiracy" (rial which resulted in the electrocution of Ethel and Juliuk Rosenberg, Jane 19, 1953, and the sentencing of Morton Sobell to thirty years in prison. It was because so much reference was made to Sacco and Vanzeth in relation

* * * *

to this trial, that I informed myself on that case also,

I must confess that I had not explored this matter before because I have great faith in our courts, and I know there are spies and it is the court's job to look after the matter, so why bother. I must also admit that I have felt for a long time that this Rosenberg-Sobell affair was a blurred picture, and was on my conscience, but when conscience speaks, it does make cowards of us all; and if I did not look too deeply I might not need become concerned. Besides, I have much else that concerns me and the days are short.

However, on February 2nd, a Presbyterian clorgyman who was just completing a lifetime in the ministry called on me at the church office. He introduced himself as the Reverend Peter Mc Cormack, Minister of Visitation of Saint John's Presbyterian Church in San Francisco and former protestant chaplain at Alcatraz. He said that he was there on behalf of Morton Sobell. I then recalled that it was Reverend Mc Cormack who after five years as chaplain at Alcatraz had signed a petition asking for a new trial for Morton Sobell (who was then in Alcatraz) and he was relieved of his job for being too zealous for the welfare of the prisoners.

not at all interested in justice? know that he was not being used by forces that were others. I even asked him what role the Communist the other persons on whose behalf I might act or had tion," lasked the Reverend Mc Cormack why I ards of us all; and thus the native hue of resolution around 300 B.C., "Guilty consciences always make people cowards," and Shakespeare picked up the re-Court of the United States? I asked him why he was acted. Hadn't the case been before the Supreme should be more concerned about Sobell than any of their currents turn awry, and lose the name of acterprises of great pith and moment with this regard is sicklied o'er with the past cast of thought, and en-Farty members had in this case. - and how did he so concerned about one man over and above many frain in Hamlet, "Thus conscience does make cowrough time, for it is written in the Panchatantra of I am airaid I gave this elderly Scotch minister a

Very simply, he told me that as Chaplain at Alcatraz, he became personally closely acquainted with Morton Sobell, that from his more than 30 years in the parish ministry, he felt he knew Sobell well enough to say that he believed he was utterly incapable of what he was charged; that Morton Sobell was a man of professed convictions in the best things of our tradition. He said that out of his interest in the man, he acquired a copy of the trial transcript, and upon reading it became convinced of Sobell's innocence.

What Reverend Mc Cormack wanted from me was

the requirements for the kind of scholarly, independent and objective investigation necessary to racke the need for a reappraisal of the case, to the end that enough public opinion might be brought to bear so that new evidence and obvious perjury would open the matter for a new look, with the reflection that comes from the passage of time, and a freedom from fears and passions of a few years ago. Moreover, he pointed out, Morton Sobell, maintaing his innocence, remains imprisoned under a thirty year sentence, thus giving an urgency in human terms as well as in historical necessity.

would send me a copy of the trial transcript, I would carefully read it and give him my answer after I had, in effect, done the independent investigation necessary for me to express an opinion. He sent me the booklets of the transcript which I still have to return After reading the transcript which I still have come to the same conclusion as Dr. Harold C. Urey, the world renowned atomic scientist of the University of Chicago, that "the proof of the guilt of Morton Sobell is far from satisfactory to me," and that "additional evidence substantialing my suspicions has convinced me that the jury's verdict of guilty was incorrect and that the Rosenbergs were not 'guilty beyond a reasonable doubt, ""*

people who carry military secrets in their minds haps someone else is doing this and you are the accomplice! without knowing it at all. The practhen commit the crime and if caught give evidence against your 'accomplice' and go free! Or, perabout necessary innoculations for a trip to Mexico) various ways (namely ask him to ask his physician mit a crime, pick out one of your 'friends' or a reagain accuses another until perhaps an innocent perecuted? As Dr. Urey said, "This case is of interare particularly threatened. Moreover, communtice sets the stage for framing innocent people, and lative whom you do not like, compromise him in system encourages crimmals. If you wish to comthe maximum punishment to the umocent person. The est to all who work on secret military matters, for these matters after the Rosenbergs have been exism and espionage are not fought by executing inno son is accused and the chain is broken and we give larly pernicious. One criminal accuses another who such people are less secure than they were previous. (as in this case) in payment for testimony is particu ly. This practice of giving immunity to criminals Well, what can be accomplished by bring

Sobell and his family went to Mexico. The prosecution insisted that he went there to flee the country, and a card with the words "Departed from Mexico" stamped on it was presented in court as evidence of flight. Today there are official documents from the Mexican government stating that their potertainent

City by more channing to be Mexican secret police and charged with being a Johnny Jones who rubbed a bink in Acapalco of \$15,000. He was refused a request to contact the American embassy, was beaten quest to contact the FBI second to the FBI second to the FBI second to some name; he declared his camera in 18 to and the second to some name in order to avoid Dallas, Texas, in his own name in order to avoid Dallas, Texas, in his own name in order to avoid the first and camera declaration were in the FBI's visa, and camera declaration were in the FBI's when they were then released to Sobell's attorneys when they were then released to Sobell's attorneys when they were then released to the min the petitions which were recently before the courts. Another incredible witness testified that Sobell's trial is that only one thing in relationship to Sobell's trial is that only one thing in relationship to Sobell's trial is that only one thing in relationship to Sobell had been involved in a vitness testified that Sobell had been involved in a conspiracy. This witness, Max Elitcher, a boyconspiracy. This witness, Max Elitcher, and a confessed to decent the prosecution. Judge Kaufman him a witness for the prosecution. Judge Kaufman him self said when he instructed the jury. If you do not self said when he instructed the jury. If you do not self said when he instructed the jury if you do not soll witness for the prosecution. Judge Kaufman him self-ther, and Judge Kaufman sentenced Morton Sobell to thirty years.

DE MIT HER THAT THE TO SHALL

There are many aspects of this case into which I might go if I had the time this morning, so you might understand why I believe it is most important that this whole matter be reopened — if for no other that this whole matter be reopened — if for no other that this whole matter be reopened — if for no other that this whole matter be reopened — if for no other that this whole matter is sake, because of the reason than our children's sake, because of the reason than our children's sake, because of the reason to lite of the matter sake cowton! When conscience speaks, it does make cowton! When conscience speaks, it does make cowton! When conscience speaks, it does make cowton! I am ashamed the open in the cause of justice. I feel as Lord the open in the cause of justice. I feel as Lord the open in the cause of justice. I feel as Lord the open in the cause of justice. I am ashamed Bertrard Russell did when he wrote: "I am ashamed to say that at the time of the Rosenberg-Sobell trial to say that at the time of the Rosenbergs were innolized in the look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innolized and into the Rosenbergs are dead and nothing cent.... But the Rosenbergs are dead and nothing can be done for them. Sobell, however, is alive and it is not too late for the U. S. Government to make some reparation to him."

To those of you who have never questioned the guilt of those convicted in the Rosenberg-Sobell case, this sermon no doubt comes as something of a shock. It comes as a shock to anyone who implicitly trusts It comes as a shock to anyone who implicitly trusts the justice of American legal procedure. In speaking the Rosenbergs, Dr. Harold Urey said, "People ask why the prosecuting attorney and the FBI and the judge should wish to see two insignificant people put judge should wish to see two insignificant people put to death unjustly. After considerable conversations to death unjustly. After considerable conversations with lawyers on this subject, including one who worked on the government side of this case, I concluded that on the government side of this case, I concluded that lawyers are more interested in whether all the legal machinery functions according to all the rules, and are not in the least interested in the arguments which are important to me. There are exceptions, of course."

* The Rev. Irwin Gaede, Unitarian Church of Westwood, California

24.

Personally, I do not know whether the Rosenbergs, or Morton Sobell are guilty or innocent. But I am convinced in my own mind that much more should be heard in a case where lies and counter lies are obviously in evidence. If we believe in the striving for justice and mortal integrity in our country, this is a matter which concerns each of us. My conscience will not let this matter lie.

THE PARTY OF STREET

formation to the Russians more than ten years ago -into outer space! Would any reputable scientist confirm such a story? Yet this statement was made by wondering how it could be possible that the Russians ment that the Rosenbergs had given space travel inlaunch a successful satellite over a decade ago, but and brother-in-law (the Rosenbergs) to the electric that by stealing our "secrets" the Russians beat us the inference apparently being that we knew how to could have sent two sputniks into outer space while Greenglans in Lewisburg penitentiary -- the same Do you recall a senate investigating committee David Greenglass whose testimony sent his sister chair? The committee came forth with the statewe had sent none and deciding to inquire of David the same man who was the chief witness in the Rosenberg-Sobell trial. The Dreyfus affair in France, the Sacco-Vanzetti case in our country, the political climate of the early 1950's, with the loose nature of conspirary charges where little was needed to convict, the plausibility of evidence by perjurers and self-confessed spies, all this weighs upon iny conscience. The climate in which the Rosenberg-Sobell case was heard bordered on the hysterical, it was a fearful time to speak out. I signed a petition (a citizen's constitutional method of expression) and made the front page of the Boston Traveler, with all the inference that I was part of a plot to overthrow the United States Government and turn it over to the Soviet Union! There was very little anity about, and it seemed as it the world had gone a little mad.

I must confess that i, too, was a little mad, I could have done much more than I did. The mark of madness is disorientation, and I think even today the religious liberal has badly lost his sense of direction. We are confused, bewildered, and thwarted. In these turbulent and challenging times, emotions well up to seek expression; but the liberal cannot merely emote, he must reason his reaction and understand in order to believe. He must believe in order to act, even as he must act to affirm his belief. He is suspicious of authority, allergie to propaganda, yet he must fave information in order to understand. Being overwhelmed by competing, often conflicting propagandas, he is confused, thwarted, maladjouted.

in moral law. The detachment of moral law from superstitious sanctions has reduced its impressiveness. With no Hell and no wrath of God to punish the wrong doer, evil has become less frightening, and so with other dogmas of religion. What we often fail to see is that dogmas come and go but the values and the sense of enduring purposes which these things symbolized are the foundation of evaluation. And when they have gone, so has each evaluation in history.

the status quo, took refuge in name-calling, suppresform of tyranny only to put in its place a more sweeply the exact opposite. Citizens who prode themselves not new. It is as old as history. It conducts inquisibills and those who scarch for luopholes in the legisrefusal to tolerate disagreement however sincere. It lowed themselves to be tanned by those who personiamong many business concerns it is a common praccourse you can hay why he fushy? Why not get wise and do what everybody else does? Lobbyists for big masses. My point is that liberals in religion have al legal for a collector of taxes to buy an automobile at a friendly price. It is a matter not of legality but of to the big contributors? This discuse is intermationnewspapers are not honest. They belden print what We are schizoid -- a nation with a split personality, tice to employ specialists in the avoidance of taxes, battle of wits goes on between those who draft tax lation. This is not illegal; but then neither is it ilearly 1950's, in fear of real or imagined threats to is the philosophy of the pseudo-radical, the militant upon democracy in religious matters often prove inpolitics or industrial relations. I heard them try to ing, more dictatorial tyranny of another sort. It is And it is high time we became curred of it. This is dealer when he finds himself in tax difficulties. Of are not honest. How often do they preach the truth the beds of respectable citizens, or threatening the might reduce their advertising. Even the churches viduals. It is a philosophy of reaction which in the "as a bulwark against communism," We too easily talked about the desperateness of our situation and not just a matter of government. I happen to know al in scope -- attacking nations, groups, and indisive activities, the illusion of unfallability, and the hysteria that led us to bill Hiller after World War I revolutionist who would overthrow by violence one (whether called fascists or communists) lucking aoutlaw the same party and for the same reasons of morality. The next step, of comes, comes when round every corner of nocial change, hiding under concerns succeed in influencing legislation. The Since the end of the second world war we have have acted as though it were not desperate at all. the collector is expected to favor the automobile tolerant -- even aggressively authoritarian -- in tions. It shies at shadows and finds bogey-men

If a person's religion is a way of life, a religious liberal in one area presupposes a liberal position in the others. The alternative is schizophrenia.

Then conscience speaks, religious liberals often tend to become frustrated. The lack of an orientation, a yardstick, hamstrings action. Feeling strongly, yet prevented from expressing their feelings through action, many of us have become maladjusted. Thus consertnee does make cowards of us all; and thus the native here of resolution is sirklied o'er with the pale cast of thought, and enterprises of great pith and moment with this regard their currents turn awry and lose the name of action."

By action in consonance with our beliefs, we mirestore our sanity.

Transcribed by Hazel Stevenson

A Sermon Delivered on April 12, 1959
by
SAMUEL A, WRIGHT, Jr.
Minister
THE UNITARIAN CHURCH OF MARIN

Meeting in the Tamalpais Centre Women's Club Kentfield, California

Opinical Commissions to hear our sores of the commission of the co

Morton Sobell is INNOCENT say:

HAROLD C. UREY

MARTIN BUBER

PABLO CASALS

BERTRAND RUSSELL

LINUS PAULING

CITIZENS' FULL PARDON FOR MORTON SOBELL

In the national effort to end the atmosphere of immorality and malice that concerns us all, we must come to grips with the festering case of Morton Sobell.

"I am innocent," Morton Sobell has cried out through more than 13 years of imprisonment. We believe him. Some of the most eminent persons in the United States and abroad have found the evidence barren, questioned the fairness of the trial, and voiced shock at the extreme cruelty of the 30-year sentence.

As responsible citizens, in whose name Morton Sobell's imprisonment continues, we cannot be associated with such a denial of justice to a man and his family, and to our nation's ideals. We wish to join in granting on behalf of the public conscience a CITIZENS' FULL PARDON to Morton Sobell.

We respectfully call upon the President of the United States to make this an official act of the United States Government.

Address	Occupation
·	

Return to: Committee to Secure Justice for Morton Sobell, 940 Broadway, New York, N.Y. 10010

তি অতিত তাৰ বিষয় বিষয়

•

المنترز

Rabbi Morris Adler, Detroit
Rev David Andrews, Baltimore
Dr. Roland H. Bainton, New Haven
Rabbi J. S. Bass, Mass.
Dr. John C. Bennett, New York
Chief Rabbi E. Berlinger, Amsterdam
Rabbi Samuel Bernstein, New York
Rabbi Balfour Brickner, New York
Chief Rabbi Israel Brodie, London
Dr. Samuel H. Cassel, Cleveland
Ruros Chalmers, Washington, D. C. Chief Rabbi Israel Brodie, London
Dr. Samuel H. Cassel, Cleveland
Burns Chalmers, Washington, D. C.
David Colwell, Washington, D. C.
Rev. Henry Hitt Crane, Detroit
Rabbi Maurice B. Eisendrath, New York
Rev. John E. Evans, New Jersey
Rabbi Julian B. Feibelman, New Orleans
Rabbi Morris Fishman, New Jersey
Rev. Kenneth R. Forbes, Philadelphia
Rev. Stephen H. Fritchman, Los Angeles
Rev. G. Shubert Frye, New York
Rev. Milton Galamison, New York
Rev. Milton Galamison, New York
Rev. Milton Galamison, New York
Rev. Donald Harrington, New York
Rev. John Haynes Holmes, New York
Rev. John Paul Jones, Ashfield, Mass.
Rev. Charles Kean, Washington, D. C.
Rev. Thomas Kilgore, New York
Rev. Joseph P. King, Chicago
Rev. Martin Luther King, Jr., Atlanta
Dr. John M. Krumm, New York
Rabbi Arthur I. Lelyveld, Cleveland
Bishop Edgar A. Lova, Baltimore
Rev. Ernest Martin, Washington, D. C.
Rev. Peter McCormack, San Francisco
(Chaplain at Alcatraz) Bishco Edgar A. Lova, Battimore
Rev. Ernest Martin, Washington, D. C.
Rev. Peter McCormack, San Francisco
(Chaplain at Aicatraz).
Dr. Uri Miller, Baltimore
Dr. Reinhold Niebuhr, Cambridge
Chief Rabbi Yits hak Nissim, Israel
Chief Rabbi S. Rodriques Pereira, Amsterdam
Dr. Dryden Linstey Phelps, Berkeley
Rev. Nelson Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Sharpe, Pasadena
Rabbi Dr. J. Soetendorp, Amsterdam
Rev. Annalee Stewart, Washington, D. C.
Rev. Alva Tompkins, Chicago
Rev. Francis S. Tucker, Mass.
Chief Rabbi L. Yorst, Rotterdam
Rabbi Jacob J. Wainstein, Chicago
Rev. Samuel A. Wright, Jr., Berkeley
1500 Clergy in the United States
Council of Churches—National Capital Area
The Methodist Federation for Social Action
Palo Alto Ministerial Association
Social Action Commission of the Union of

Social Action Commission of the United Synagogue of America

Social Action Commission of the Union of American Hebrew Congregations

Dr. William C. Davidon, Chicago Prof. Lloyd Donnell, Chesterton, Ind. Dr. Edward D. Korn, Bethesda, Md. Dr. Philip Morrison, Ithaca Or Robert Reid Newell, Stanford, Cat. 49 International Nuclear Scientists, Geneva

recent the constraint of the c

Prof. Dr. M. A. Beek, Amsterdam Prof Derk Bodde, Philadelphia Prof. Derk Bodde, Philadelphia Prof. Murray Branch, Atlanta Dr. Edmond Cahn, New York Dr., Bernard D., Davis, Boston Prof. Robert Finn, Palo Alto Prof. Erwin R., Goodenough, Cambridge Dr. A. Eustace Haydon, Chicago Dr. Paul Holmer, Minneapolis Prof. Sidney Book, New York Dr. Paul Holmer, Minneapolis
Prof. Sidney Hook, New York
Prof. Horace M. Kalien, New York
Prof. Dr. Isack Kisch, Amsterdam
Dr. Paul L. Lehmann, Cambridge
Dr. Bernard Loomer, Chicago
Dean Donat E. J. MacNamara, New York
Dr. Alexander Meiklejohn, Berkeley
Prof. Victor Paschkis, New York
Prof. Dale Pontius, Chicago
Prof. Dr. J. Presser, Amsterdam
Dr. Paul Ramsey, Princeton
Prof. Anatol Rapaport, Ann Arbor, Mich.
Prof. Oscar K. Rice, Chapet Hill, N. C.
Dr. Daniel Day Williams, New York
Prof. H. H. Witson, Princeton
Prof. Francis D. Wormuth, Salt Lake City Prof. Francis D. Wormuth, Salt Lake City

Dr. Thomas I. Emerson. New Haven Osmond K. Fraenkel, New York John F. Finerty, New York Dr. Harrop A. Freeman, Ithaca Gerald Gardiner, London Gerald Gardiner, London
Max Habicht, Geneva
Former Atty, Gen. Robert W. Kenny, Calif.
Harold V. Knight, Denver
William Kunstler, New York
Prof. Stephen Love, Chicago
Daniel G. Marshaff, Los Angeles
Louis F. McCabe, Philadelphia
Prof. Gerhard D. W. Mueller, New York
Dr. Luis Sanchez Ponton, Mexico City
Joseph Rauh, Washington, D. C.
Prof. Fred Rodell, New Haven
Prof. Małcolm Sharp, Chicago
Dr. Pauf W. Tappan, Berkeley
Gerhard Van Arkel, Washington, D. C.
Rowland Watts, New York
Belgian League for Rights of Man

Congressman John Blatnik, Minnesota U. S. Senator William Langer (1886-1959)
U. S. Senator Lee Metcalf, Montana Former Congressman William Meyer, Vermont Gov. Culbert L. Olson, California (1876-1962) Lord Boyd Orr, London Italian Senator Franco Parri Sydney Silverman and Thirty Members of Parliament, Britain

Harry Barnard, Chicago Carleton Beals, Connecticut Robert Bolt, England Dorothy Day, New York James T. Farrell, New York Waldo Frank, Truto, Mass, Dr. Erich Fromm, Mexico City Waido Frank, Fruro, Mass.
Dr. Erich Fromm, Mexico City
Maxwell Geismar, Harrison, N.Y.
Nathan Glazer, Washington, D. C.
Nat Hentoff, New York
Murray Kempton, Washington, D. C.
Irving Kristol, New York
Doris Lessing, England
Dwight Macdonald, New York
Milton Mayer, Carmel, Cal.
Carey McWilliams, New York
Alberto Moravio, Italy
Lewis Mumford, Amenia, N.Y.
Salvatore Quassimodo, Italy
Jean-Paul Sartre, France
Alan Stilitoe, England
Harvey Swados, San Francisco
Kenneth Tynan, England
John Wextey, Bucks County, Pa.
Dr. William Appleman Williams, Eugene, Ore.

Roger Ba'dwin, New York
Helen M. Beardsley, Calif.
Warren K. Billings, San Francisco
(Mooney-Billings Case)
Jessie C. Binford, Chicago
Mrs. Paul Bianchard, Washington, D. C.
Lucy P. Carner, Philadelphia
Harold A. Cranefield, Detroit
Esther Dahl, Sweden (Joe Hill's sister)
Mrs. A. Poweli Davies, Washington, D. C.
Elmer Davis (1890-1958)
Max Eastman, New York
Elizabeth, Queen Mother of Belgium
Federico Fellini, Italy
Hallock Hoffman, Pasadena
Lewis W. Hoskins, Richmond, Ind. Handok Honman, Fasacela Lewis W. Hoskins, Richmond, Ind. Leo Hurwitz, New York Gardner Jackson, Washington, D. C. Carlo Arturo Jemelo, Italy Carlo Arturo Jemelo, Italy
Russell Johnson, Boston
Morris Laub, New York
Dr. Leo Mayer, New York
Dr. Gardner Murphy, Topeka
Jerome Nathanson, New York
Mildred Scott Olmsted, Philadelphia
Ciarence E. Pickett, Philadelphia
Howard B. Radest, New Jersey
Norman Thomas, New York
Vincenzina Vanzetti, Italy (Bartolomeo's siste
Mrs. Clara M. Vincent, Michigan
Women's International League for Peace Women's International League for Peace and Freedom

Christian Century Minority of One The Nation Magazine The National Guardian The New Republic The New York Post The Progressive Magazine
The Washington Daily News



Committee To Secure Justice For Morton Sobell

178

940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

Algonquin 4-9983

"I WANT THE FIGHT ON MY BEHALF TO BE FOR A FULI PARDON BASED ON MY INNOCENCE."

WELLOW Sobell

From the beginning everything was calculated to frighten me, the abduction, the farce of a hearing in Laredo, being dragged before the Commissioner in New York and hearing prosecutor Saypool let loose a torrent of lies. Then followed the "conference" in which I was told that I was doomed and might as well give up. Later there was Alcatraz and then Atlanta. But it didn't frighten me, it couldn't!

After all, I knew the charges were baseless, but I wasn't naive enough to believe this guaranteed my safety. They wanted me for a false prosecution witness! Yet the knowledge of innocence gave me the strength to match their stares, even if I couldn't match their hatred.

There never arose a question about how I should proceed. All their threats and anonymous letters didn't affect me. After the painful education of the trial as it was conducted by Judge Kaufman, and the perjuries and power plays of prosecutors Irving Saypol, Myles Lane and Roy Cohn, how could I ever permit myself to be used as their tool?

To have heard the sentences of death delivered against two innocent people made me understand the heavy burden laid upon the conscience of our country. I had hoped that some part of that savage imprint upon our history could be erased through calm and reason, but I have not seen this. Rather this "legal" murder was followed by the illegal murders of Medgar Evers, William L. Moore, the Birmingham children, and our President.

Less than five months after the execution of the Rosenbergs, President Eisenhower commuted the death sentence of Tomoya Kawakita, convicted of treason for his torture of GIs in a Japanese POW camp. Recently Kawakita was freed and permitted to return to Japan. Douglas Chandler, too, convicted of treason for helping the Nazis in Germany, has been freed. Why was the death sentence of the Rosenbergs not commuted, and why have I not been set free?

In all that has transpired through nearly 14 years, I have no regret for anything, done or undone, by myself or those who have worked in my behalf. When the question of clemency was first raised it pained me beyond anything I had experienced. It was foreign to my nature, repulsive, but understandable as a procedure.

It has at this late date, however, become a farce to set aside the merits of our case and speak of mercy, humanity, of clemency and amnesty. I want the fight on my behalf to be for a full pardon based on my innocence and nothing else. It is much easier for me this way, and it will better serve justice.

December 10, 1963

Monton Sobell

Your signature and contribution will carry on Morton Sobell's fight.

Oblinate Tomics Objections Objection Some Commissions

Morton Sobell is INNOCENT say:

HAROLD C. UREY

MARTIN BUBER

PABLO CASALS

BERTRAND RUSSELL

LINUS PAULING

CITIZENS' FULL PARDON FOR MORTON SOBELL

In the national effort to end the atmosphere of immorality and malice that concerns us all, we must come to grips with the festering case of Morton Sobell.

"I am innocent," Morton Sobell has cried out through more than 13 years of imprisonment. We believe him. Some of the most eminent persons in the United States and abroad have found the evidence barren, questioned the fairness of the trial, and voiced shock at the extreme cruelty of the 30-year sentence.

As responsible citizens, in whose name Morton Sobell's imprisonment continues, we cannot be associated with such a denial of justice to a man and his family, and to our nation's ideals. We wish to join in granting on behalf of the public conscience a CITIZENS' FULL PARDON to Morton Sobell.

We respectfully call upon the President of the United States to make this an official act of the United States Government.

Name	Address	Occupation

Those who are asking freedom for Morton Sobell in

Rabbi Morris Adler, Detroit Rev David Andrews, Baltimore Dr. Roland H. Bainton, New Haven Dr. Roland H. Bainton, New Haven
Rabbi J. S. Bass, Mass.
Dr. John C. Bennett, New York
Chief Rabbi E. Berlinger, Amsterdam
Rabbi Samuel Bernstein, New York
Rabbi Balfour Brickner, New York
Chief Rabbi Israel Brodie, London
Dr. Samuel H. Cassel, Cleveland
Burns Chalmers, Washington, D. C.
David Cofwell, Washington, D. C.
Rev. Henry Hitt Crane, Detroit
Rabbi Maurice B. Eisendrain, New York
Rev. John E. Evans, New Jersey
Rabbi Julian B. Feibelman, New Orleans
Rabbi Morris Fishman, New Jersey
Rev. Kenneth R. Forbes, Philadelphia
Rev. Stephen H. Fritchman, Los Angeles
Rev. G. Shubert Frye, New York
Rev. Milton Gatamison, New York
Rabbi Robert E. Goldburg, New Haven
Dr. Simon Greenberg, New York
Rev. Donald Harrington, New York
Rev. Donald Harrington, New York
Rev. John Haynes Holmes, New York
Rev. John Haynes Holmes, New York
Rev. John Haynes Holmes, New York
Rev. John Paul Jones, Ashfield, Mass.
Rev. Charles Kean, Washington, D. C.
Rev. Thomas Kilgore, New York
Rev. John Mall, New York
Rev. John M. Krumm, New York
Rebbi Arthur J. Lelyveld, Cleveland
Bishop Edgar A. Love, Baltimore
Rev. Ernest Martin, Washington, D. C.
Rev. Peter McCormack, San Francisco
(Chaplain at Alcatraz)
Dr. Uri Miller, Baltimore
Dr. Reinhold Niebuhr, Cambridge
Chief Rabbi Yits'hak Nissim, Israel
Chief Rabbi S. Rodriques Pereira, Amsterdam
Dr. Dryden Linsley Phelps, Berkeley
Rev. Neison Pierce, Washington, D. C.
Rabbi Emanuel Rackman, New York
Dr. D. R. Snarpe, Pasadena
Rabbi Dr. J. Soetendorp, Amsterdam
Rev. Annalee Stewart, Washington, D. C.
Rev. Alva Tompkins, Chicago
Rev. Francis S. Tucker, Mass.
Chief Rabbi Jacob J. Weinstein, Chicago
Rev. Samuel A. Wright, Jr., Berkeley
1500 Clergy in the United States
Council of Churches—National Capital Area
The Methodist Federation for Social Action
Palo Alto Ministerial Association Palo Alto Ministerial Association of Social Action Social Action Commission of the Union of American Hebrew Congregations
Social Action Commission of the United Synagogue of America

回回回医外们们外到回回回

Dr. William C. Davidon, Chicago Prof. Lloyd Donnell, Chesterton, Ind. Dr. Edward D. Korn, Bethesda, Md. Dr. Philip Morrison, Ithaca Dr. Robert Reid Newell, Stanford, Cal. 49 International Nuclear Scientists, Geneva

4

Prof. Dr. M. A. Beek, Amsterdam
Prof. Derk Bodde, Philadelphia
Prof. Murray Branch, Atlanta
Dr. Edmond Cahn, New York
Dr. Bernard D. Davis, Boston
Prof. Robert Finn, Palo Alto
Prof. Erwin R. Goodenough, Cambridge
Dr. A. Eustace Haydon, Chicago
Dr. Paul Hotmer, Minneapolis
Prof. Sidney Hock, New York
Prof. Horace M. Kallen, New York
Prof. Dr. Isack Kisch, Amsterdam
Dr. Paul L. Lehmann, Cambridge
Dr. Bernard Loomer, Chicago
Dean Donal E. J. MacNamara, New York
Dr. Alexander Meiklejohn, Berkeley
Prof. Victor Paschkis, New York
Prof. Dale Pontius, Chicago
Prof. Dr. J. Presser, Amsterdam
Dr. Paul Ramsey, Princeton
Prof. Anatol Rapaport, Ann Arbor, Mich.
Prof. Oscar K. Rice, Chapel Hill, N. C.
Dr. Daniel Day Williams, New York
Prof. H. H. Wilson, Princeton
Prof. Francis D. Wormuth, Salt Lake City

回起回回吃火奶奶回回回回回

Dr. Thomas I. Emerson, New Haven
Osmond K. Fraenkel, New York
John F. Finerty, New York
Dr. Harrop A. Freeman, Ithaca
Gerald Gardiner, London
Max Habicht, Geneva
Former Atty, Gen. Robert W. Kenny, Calif.
Harold V. Knight, Denver
William Kunstler, New York
Prof. Stephen Love, Chicago
Daniel G. Marshall, Los Angeles
Louis F. McCabe, Philadelphia
Prof. Gerhard O. W. Mueller, New York
Dr. Luis Sanchez Ponton, Mexico City
Joseph Rauh, Washington, D. C.
Prof. Fred Rodell, New Haven
Prof. Malcolm Sharp, Chicago
Dr. Paul W. Tappan, Berkeley
Gerhard Van Arkel, Washington, D. C.
Rowland Watts, New York
Belgian League for Rights of Man

回回回海外比以为此的国间回回

U. S. Congressman John Blatník, Minnesota Lord Choriey, England Former Congressman Randall S. Harmon, Indiana U. S. Senator William Langer (1886-1959) U. S. Senator Lee Metcalf, Montana Former Congressman William Meyer, Vermont Gov. Culbert L. Olson, California (1876-1962) Lord Boyd Orr, London Italian Senator Franco Parri Sydney Silverman and Thirty Members of Parliament, Britain

回尼 VRIERS A CRITICIDES

Harry Barnard, Chicago
Carieton Beals, Connecticut
Robert Bolt, England
Dorothy Day, New York
James T. Farrell, New York
Waido Frank, Truro, Mass.
Dr. Erich Fromm, Mexico City
Maxwell Geismar, Harrison, N.Y.
Nathan Glazer, Washington, D. C.
Nat Hentoff, New York
Murray Kempton, Washington, D. C.
Irving Kristol, New York
Doris Lessing, England
Owight Macdonald, New York
Mitton Mayer, Carmel, Cal.
Carey McWilliams, New York
Alberto Moravio, Italy
Lewis Mumford, Amenia, N.Y.
Salvatore Quassimodo, Italy
Jean-Paul Sartre, France
Alan Sillitoe, England
Harvey Swados, San Francisco
Kenneth Tynan, England
Arnold Wesker, England
John Wexiey, Bucks County, Pa.
Dr. William Appleman Williams, Eugene, Ore.

elegither which with the property and th

Roger Baldwin, New York
Helen M. Beardstey, Calif.
Warren X. Billings. San Francisco
(Mooney-Billings Case)
Jessie C. Binford, Chicago
Mrs. Paul Blanchard, Washington, D. C.
Lucy P. Carner, Philadelphia
Harold A. Cranefield, Detroit
Esther Dahl, Sweden (Doe Hill's sister)
Mrs. A. Powelf Davies, Washington, D. C.
Elmer Davis (1890-1958)
Max Eastman, New York
Elizabeth, Queen Mother of Belgium
Federico Fellini, Italy
Hallock Hoffman, Pasadena
Lewis W. Hoskins, Richmond, Ind.
Leo Hurwitz, New York
Gardner Jackson, Washington, D. C.
Carlo Arturo Jemelo, Italy
Russell Johnson, Boston
Morris Laub, New York
Dr. Leo Mayer, New York
Dr. Leo Mayer, New York
Dr. Gardner Murphy, Topeka
Jerome Nathanson, New York
Mildred Scott Olmsted, Philadelphia
Clarence E. Pickett, Philadelphia
Howard B. Radest, New Jersey
Norman Thomas, New York
Vincenzina Vanzetti, Italy (Bartolomeo's sister)
Mrs. Clara M. Vincent, Michigan
Women's International League for Peace
and Freedom

decynicink bed

Christian Century
M.nority of One
The Nation Magazine
The National Guardian
The New Republic
The New York Post
The Progressive Magazine
The Washington Daily News

TO DITUTE TO LEAD THE SOFT.

Morton Sobell is INNOCENT say:

HARDLD C. UREY

MARTIN BUBER

PABLO CASALS

BERTRAND RUSSELL

LINUS PAULING

CITIZENS' FULL PARDON FOR MORTON SOBELL

In the national effort to end the atmosphere of immorality and malice that concerns us all, we must come to grips with the festering case of Morton Sobell.

"I am innocent," Morton Sobell has cried out through more than 13 years of imprisonment. We believe him. Some of the most eminent persons in the United States and abroad have found the evidence barren, questioned the fairness of the trial, and voiced shock at the extreme cruelty of the 30-year sentence.

As responsible citizens, in whose name Morton Sobell's imprisonment continues, we cannot be associated with such a denial of justice to a man and his family, and to our nation's ideals. We wish to join in granting on behalf of the public conscience a CITIZENS' FULL PARDON to Morton Sobell.

We respectfully call upon the President of the United States to make this an official act of the United States Government.

Name	Address	Occupation

Return to: Committee to Secure Justice for Morton Sobell, 940 Broadway, New York, N. Y. 10016

Those who are asking freedom for Morton Sobell inc

Rath Morris Adier Detroit
Rev David Andrews Bait more
Dr. Rotand H. Baiton, New haven
Rath J. S. Bats Mint
Dr. John C. Bennett New York
Chief Rath E. Berneten, Amotordam
Rath Samuel Bernetein, New York
Rath Baitor Brokher, New York
Rath Baitor Brokher, New York
Rath Gassel, Cleveland
Burns Chalmers, Washington D. C.
Baild Colwell, Washington D. C.
Rev. Henry Hitt Crone Detroit
Rabb, Maurice B. Elseronath, New York
Rev. John E. Evon hew Jersely
Rev. Kenneth R. Forbes, Philadelphia
Rev. Stephan H. Fritoman Los Angeles
Rev. G. Shubert Eryc New York
Rath, Robert E. Goldburg New York
Rath, Robert E. Goldburg New York
Rev. John Bairon on New York
Rev. John Bairon hew York
Rev. John Bairon to Cleveland
Dr. Angus Hull New York
Rev. John Harres Homes, New York
Rev. John Harres Homes, New York
Rev. John Bairon to Cleveland
Dr. Angus Hull New York
Rev. John Paul Jones Ashfeld Mass
Rev. Charles Kear Washington, D. C.
Rev. Thomas Kilpore, New York
Rev. John Paul Jones Ashfeld Mass
Rev. Charles Kear Washington, D. C.
Rev. Thomas Kilpore, New York
Rev. Joseph P. King Chicaso
Rev. Martin Luther King, Ir. Atlanta
Dr. John M. Krumm New York
Rev. Joseph P. King Chicaso
Rev. Martin Luther King, Ir. Atlanta
Dr. John M. Krumm New York
Rev. Joseph P. King Chicaso
Rev. Revision Pierce, New York
Rev. Joseph P. King Chicaso
Rev. Reshold Nebuhr, Cambridge
Chief Rabbi Yits'hai Nissim Israel
Chief Rabbi Yits'hai Nissim Is Palo Alto Ministerial Association Social Action Commission of the Union of American Hebrew Congregations Social Action Commission of the United Synagogue of America

Dr. William C. Davidon. Chicago Prof. Lloyd Donnell, Chesterton, Ind. Dr. Edward D. Korn, Bethesda, Md. Dr. Philip Morrison; Itnaca Dr. Robert Reid Newell, Stanford, Cal. 49 International Nuclear Scientists, Geneva

esesim in deses

Prof. Dr. M. A. Beek, Amsterdam
Prof. Derk Bodde, Philadelphia
Prof. Murray Branch, Atlanta
Dr. Comond Cahn, New York
Dr. Bernard D. Davis, Boston
Prof. Robert Finn, Palo Atto
Prof. Etwin R. Goodenough, Cambridge
Dr. A. Eustade Haydon, Chicago
Dr. Paul Holmer, Minneadolis
Prof. Sidney Hook, New York
Prof. Horade M. Kallen, New York
Prof. Dr. Isack Kisch, Amsterdam
Dr. Paul L. Lehmann, Cambridge
Dr. Bernard Loomer, Chicago
Dean Donal E. J. MacNamara, New York
Dr. Assymder, Mesk ejohn, Berkeley
Prof. Victor Paschkis, New York
Prof. Date Pontius, Chicago
Prof. Dr. J. Presser, Amsterdam
Dr. Paul Ramsey, Princeton
Prof. Anatol Rabadort, Ann Arbor, Mich
Prof. Oscar, K. Rice, Chapel Hitt, N. C.
Dr. Damel Day Williams, New York
Prof. H. H. Wilson, Princeton
Prof. Francis D. Wormuth, Salt Lake City

Dr. Thomas J. Emerson, New Haven
Osmond K. Fraenkel, New York
John F. Frinerts, New York
John F. Frinerts, New York
John F. Frinerts, New York
Dr. Harrop A. Freeman, Ithaca
Gerald Gardiner, London
Max Habicht, Geneva
Former Atty, Gen, Robert W. Kenny, Calif.
Harcid V. Knight: Deriver
William Kunstler, New York
Prof. Stephen Love, Chicago
Daniel G. Marshall, Los Angeles
Louis F. McCabe, Philadelphia
Prof. Gerhard O. W. Mueller, New York
Dr. Luis Sanchez Ponton, Mexico City
Joseph Rauh, Washington, D. C.
Frof. Fred Rodell, New Haven
Prof. Mancolm Sharp, Chicago
Dr. Paul W. Tappan, Berkeley
Gerhard Van Arkel, Washington, D. C.
Rowland Watts, New York
Belgian League for Rights of Man

可可回收 工机 八瓜 自可可回

U. S. Congressman John Blatnik, Minnesota Lord Chorley, England Former Congressman Randall S. Harmon, Indiana U. S. Senator William Langer (1886-1959) U. S. Senator Lee Metcall, Montana Former Congressman William Meyer, Vermont Gov. Culbert L. Olson, California (1876-1962) Lord Boyd Orr, London Italian Senator Franco Parri Sydney Silverman and Thirty Members of Parliament, Britain

Harry Barnard, Chicago
Carleton Beals, Connecticut
Robert Bott, England
Dorothy Day, New York
James T, Farrell, New York
Walso Frank Trurc, Mass.
Dr. Erich Fromm, Mexico City
Maxwell Geismar, Harrison, N.Y.
Nathan Glazer, Washington, D. C.
Nat Hentoff, New York
Murray Kempton, Washington, D. C.
Irving Kristol, New York
Doris Lessing, England
Dwight Macdonard, New York
Milton Mayer, Carmel, Cal.
Carey McWilliams, New York
Alberto Moravio, Italy
Lewis Mumford, Amenia, N.Y.
Salvatore Quassimodo, Italy
Jean-Paul Sartre, France
Alan Sillitoe, England
Harvey Swados, San Francisco
Kenneth Tynan, England
Arnold Wesker, England
John Wexley, Buchs County, Pa.
Dr. William Appleman Williams, Eugene, Ore.

Roger Baldwin, New York
Helen M., Beardstey, Calif.
Warren K. Billings, San Francisco
(Mooney-Billings Case!
Jessie C. Binford, Chicago
Mrs. Paul Blanchard, Washington, D. C.
Lucy P. Carner, Pnicadelphia
Harold A. Cranefield, Detroit
Estner Dahl, Sweden (Joe Hill's sister)
Mrs. A. Powell Oavies, Washington, D. C.
Elmer Davis (1890-1958)
Max Eastman, New York
Elizabeth, Queen Mother of Belgium
Federico Fellini, Italy
Hallock Hoffman, Pasadena
Lewis W. Hoskins, Richmond, Ind.
Leo Hurwitz, New York
Gardner Jackson, Washington, D. C.
Carlo Arturo Jemelo, Italy
Russell Johnson, Boston
Morris Laub, New York
Dr. Leo Mayer, New York
Dr. Leo Mayer, New York
Dr. Cardner Murphy, Topeka
Jerome Nathanson, New York
Midred Scott Olmsted, Philadelphia
Clarence E. Pickett, Philadelphia
Clarence E. Pickett, Philadelphia
Howard B. Radest, New Jersey
Norman Thomas, New York
Vincenzina Vanzetti, Italy (Bartolomeo's sister)
Mrs. Clara M. Vincent, Michigan
Women's International League for Peace
and Freedom

· :

77.43

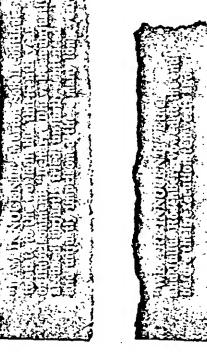
Christian Century
Minority of One
The Nation Magazine
The National Guardian
The New Republic
The New York Post
The Progressive Magazine
The Washington Daily News

• •

Among those who have urged Sobell's release on many grounds are;

Elizabeth, Queen Mother of Belgium Rabbi Maurice B. Eisendrath tabbi Morris Fishman tev. Kenneth Ripley Forbes Rev. Joseph P. King Rev. Martin Luther King, Jr. Prof. Erwin R. Goodenough Nat Kentoff Rev. John Haynes Holmes darolds R. Cranefield ... Rev. Gross W. Alexander David Andrews labbi Robert E. Goldburg Rabbi Samuel Bernstein Dr. Paul L. Lehmann Rabbi Arthur J. Lelyveld tev. Donald Harrington Rabbi Balfour Brickner Jr. Thomas I. Emerson Rabbi Israel Goldstein Dr. A. Eustace Haydon Donal E. J. MacNamara Daniel G. Marshall Rabbi Philip Harowitz tev. G. Shubert frye tev. Erwin A. Caede Rev. John Paul Jones Rev. John E. Evans Helen M. Beardsley Or. John C. Bennett Dr. Martin Buber Dr. Edmond Cahn Maxwell Ceismar Rahbi J. S. Bass William Kunstler ames T. Farrell toger Baldwin Carleton Beals lovd Dorinell Dr. Leo Mayer Leo Berman ablo Casais ord Chorley Doris Lessing Leo Hurwitz Waldo Frank Milton Mayer Morris Laub

thirty Members of Parliament, Britain Nomen's International League for Jelgian League for Rights for Mar Social Action Commission of the Union of American Hebrew Dr. Linus Pauling Dr. Dryden Linsley Phelps Rev. Peter McCormack Sen, Lee Metcalf Dr. Uri Millor Gerhard O. W. Mueller Dr. Luis Sanchez Ponton orof. Francis D. Wormuth tabbi Jacob J. Weinstein Rabbi Emanuel Rackmar Jerome Nathanson Or. Reinhold Niebuhr Lord Boyd Orr Arnold Wesker Or. Daniel Day Williams Sydney Silverman, M.P. aul Ramsey Prof. Anatol Rapaport lev. Francis S. Tucker Ars. Clara M. Vincent Lord Bertrand Russell Jean-Paul Sartre Prof. Victor Paschkis The Nation Magazine Dr. Gardner Murphy Howard B. Radest rof. Malcolm Sharp Clarence E. Pickett Prof. Oscar K. Rice Prof. Fred Rodell Prof. Dale Pontius Dr. Harold C. Urey The New York Post The Progressive The New Republic Christian Century Dr. D. R. Sharpe Alan Sillitoe Lewis Mumford Congregations Norman Thomas Harvey Swados lenneth Tynan **Sowland Watts**

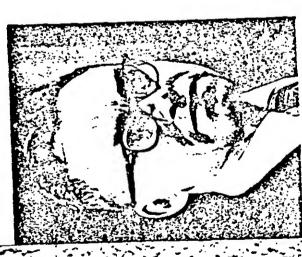


The Facts in the Rosenberg-Sobel Case

らびしゃ ひばらす

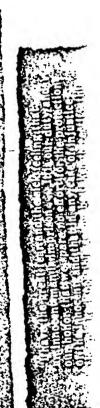
For further information write:

W 10 Per 10 to the first of the



Morton Sobell





(

Historians now call it the era of McCarthyism. It was a time of

fear and suspicion.

Our nation had been assured the atomic bomb would remain an American monopoly for years to come, When Russia unexpectedly exploded a bomb in 1949, "they stole it from us" was the panicky national response and a search for spies was on.

But Time Magazine commented on Jan. 2, 1950;

already in their files, Until this week the Aussian papers have week the A.E.C.'s files yielded documentary proof: Russian scientific papers on the project, published in 1940, before the U.S. started its atom bomb project . . . The basic 'secrets' were been known to few. If the facts they contain had been properly publicized, a lot of spy chasing and pointless orating might have again and again by the Atomic Energy Commission . . . Lost which Russian spics needed to steat. This fact has been asserted "For the last decade, there has been no 'atom-bomb secret' bren avoided."

It was only when he still insisted on his innocence that his name was listed as a defendant. The only "overt acts" charged were five conversations which he allegedly had with Julius Rosenberg. These conversations were not to be mentioned at the trial. In the headlines the accused were guilty even before the trial, which took place blared the arrest of Julius Rosenberg as the "atom spy" who was responsible for Russia having the bomb. His wife was arrested a "atom spy" even though the trial judge was later to say that Sobell accusing witness while the question of a trial for him was delayed. Suddenly the cause of Russia's A-bomb was said to be discovered by those still insisting it was espionage. Headlines in July, 1950, short while later. In August, Morton Sobell was added as another was not connected with the stomic project. The Rosenbergs and Sobell swore their innocence. Sobell was pressured to become an



Y THE STATE OF THE

the street of the state of the street of the

The Rusenbergs were a New York-born couple, Julius Rosenberg had been an engineer and at the time of his arrest had his own machine shop. The couple had two sons.

Morton Sobell, who grew up in the Bronx, was a radar specialist and an evening instructor at Brooklyn Polytechnical Institute. He was employed at the Reeves Instrument Company at the time of his arrest. He and his wife, Helen, have a son, Mark, now 14, and by

Mrs. Sobell's previous marriage, a daughter, Sydney. Morton Sobell and Julius Rosenberg had known each other at the City College of New York.

THE PROSECUTORS

A key prosecutor, along with Irving Saypol and Myles Lane, was Roy Cohn, later to become Senator McCarthy's chief assistant. Cohn was discredited in the Army-McCarthy hearings in 1954 when it was proven that he doctored a photograph presented in evidence.

NOTESPIONAGE CHARGED

The gap between the headlines and the facts was wide. Neither the Rosenbergs nor Sobell were charged with espionage or treason. The charge was "conspiracy to commit" espionage. The difference: under the loose conspiracy charge, no proof of any actual acts of espionage is needed. The conspiracy charge is traditionally resorted to when proof of actual acts is lacking.

No boedin entritis eliberid

In opposition to the defendants' plea of innocence, no documentary, evidence was presented in the trial. The case rested on the testimony of government witnesses who stood to gain personally by their accusations. The trial was colored by prosecution claims, also without documentation, that the defendants were members of the Communist Party.

The chief witness against the Rosenbergs was David Greenglass, bruther of Ethel Rosenberg. Greenglass, a mechanic at Los Alamos, did not claim to have stolen any documents or photographed any papers. He told a tale of having eavesdropped on scientists and from

"Morton Sobell is not related to the brothers, Dr. Robert Soblen and Inck Soble, who were in the public see in we evited different on c

their conversation drawing diagrams giving atomic secrets. On cross-examination he admitted having failed his science courses at Brooklyn Polytech, Dr. Harold C. Urey, Nobel prize atomic scientist who studied the record subsequently and found "patently perjured" prosecution testimony, asserted: "Though the information supposed to have been transmitted could have been important, a man of Greenglass's capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the atomic bomb to anyone." Greenglass was sentenced to 15 years imprisonment but is now free after having been released at the end of 1960.

Of Greenglass's testimony, the U. S. Court of Appeals said: "Doubtless, if that testimony were disregarded, the conviction could not stand."

(

PARTY (CANDISTING

Only one witness, Max Elitcher, accused Sobell of any involvement. Elitcher, admitting previous perjury, testified that he was "scared to death." The judge told the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

Elitcher did not claim Sobell ever passed or received any secret material. He told the jury that Sobell, although he supposedly thought the FBI was following him, took a 35mm film can teentent never specified) to Julius Rosenberg. Elitcher did not claim he saw Sobell give anything to Rosenberg. Elitcher has never been prosecuted for his confessed perjury, but has been helped to find employment, as a reward for his testimony.

Sobell's lawyers advised him that the case was so flimsy his most effective defense would be to rest on his plea of innocence, without even taking the witness stand. Sobell, wanting to take the stand, reluctantly bowed to their legal opinion.

क्षेत्रवारमण राज्यभन्नात्रामः वास्त्रवार

Harry Gold never claimed to have known the Rosenbergs and Sobell, But Gold, already under a 30 years sentence, described himself as the man to whom Greenglass gave the atomic data he said he obtained by cavesdropping on scientists. In a later trial, a man whom Gold accused went free after the court heard Gold's admission of having lived such a life of lies "it is a wonder that steam didn't come out of my ears." Gold is still in prison.

Elizabeth Bentley, who had become a frequent witness at the trials and Congressional heavings of the day, didn't claim to know the Rosenbergs or Sobell but added color with testimony on espionage methods. She was subsequently discredited in other proceedings, For example, she once accused a man of having supplied the Rossians with advance information about Poolittle's raid on Tokyo which

charged before a Congressional committee that 37 discrepancies had been found in Blizabeth Bentley's testimony in that case. proven that the man wasn't in the Air Corps until months after the raid, Former U.S. Congressman Byron Scott of California was gleaned while the accused was in the Air Corps. But it was





Julius Rosenberg

Ethel Rosenberg

aequittal and retained his job or his position in his community." tensel about these things and it would seem to me very difficult for any member of this jury to have gone home after voling for hysteria during the Korean War when people were rery much This jury was bearing this trial in the midst of the McCarthy The verdict was "guilty." Dr. Havold C. Urey has said:

Indeed, by your betrayal you undoubtedly have altered the course of caused, in my opinion, the Communist aggression in Koren, with the resultant casualties exceeding 50,000 and who knows but that milting into the hands of the Russians the A-bomb years before our best scientists predicted Russia would perfect the bomb has already Judge Irving Kaufman, expressing the hysteria of the time, intoned against the Rosenbergs: ". , I believe your conduct in putlons more of innocent people may pay the price of your treason. history to the disadvantage of our country."

He condemned them to death. Nobody had ever been executed for espionage in the United States during peacetime. No woman had been executed by the federal government since 1865. To Morton Sobell the judge said: le condemned Sobell to 30 years, and recommended against

your part in connection with the atomic bomb project."

"The evidence in the case did not point to any activity on

Since the trial the following new evidence has been presented in

hallways shouting incoherencies; and memorandy indicating that a · Memoranda of David Greenglass's lawyers revealing that Greenglass, according to documents in his own handwriting, told conflicting stories; that Greenglass's wife confided that her husband was an habitual liar who bad fits of hysteria and ran nude through deal was made with the prosecution to lighten Greenglass's punish-

cution had claimed the table, not produced in court, was an expensive . Pranf that a console table the Rosenbergs owned was an ordinary. inexpensive table hought in Macy's as they had testified. The prosegift from the Russians hollowed out for secret microfilm work. ment in exchange for his testimony.

court secretly to observe the Rosenbergs, Later, on the stand, he claimed he was identifying them upon seeing them for the first time . Proof that the prosecution brought a passport photographer to

did not deport Sobell, but took action to see that its laws were not . Proof that Morton Sohell was kidnapped from Mexico at the instigation of the prosecution, and that at the trial the prosecution claimed fraudulently that the Mexican government had deported tive. The new evidence showed that the Mexican government not only Sobell, thus giving the court the impression that Sobell was a fuxi-

while in Mexico on vacation he thought of living abroad. He made he lived openly in Mexico City under his own name where he could manner with proper tourist cards and air tickets, and in their own name. Sobell, as a scientist and teacher with left-wing views, has admitted that hysteria in the United States frightened him, and inquiries under other numes for passake to France and Israel. But . Proof that Sobell and his family went to Mexico in a normal violated by an international kidnapping.

HEARING IN COURT. Each time, the prosecution has managed to NONE OF THIS EVIDENCE HAS EVER BEEN GIVEN be reached readily, and not as a fugitive. avoid a hearing on the merits.

has never reviewed this record and has never affirmed the fairness to review a case in no way judges its merits. Further, appeals are limited to legal points, not the question of innocence or guilt or which nothing wrong. The fact is, as Justice Black has stated, "This Court of the trial below." The Supreme Court has emphasized that refusal Defenders of the Rosenherg-Sobell verdict often claim that the Supreme Court has reviewed the case many times and found فكراح الكاكم فيلامنا والمستقمة فالهم فالملاء فالمال فالمتافئ ولا مالين والأ witness was telling the truth.

voted for a new Sobell trial in a dissenting opinion holding that Sobell's case should have been considered separately from that of the Rosenbergs.

大きでて 日



"Wholly reprehensible" was the expression the U.S. Court of Appeals used in one decision describing prosecution tactics in getting publicity prejudicial to the defense during the trial. The court said that if the defense had raised the question sooner, a mistrial should have been declared.

Recent court decisions have emphasized other prosecution unfairness. The prosecution repeatedly implied to the jury that Ethel Rosenberg's answers at the trial could not be believed because she had pleaded the 5th Amendment to the same questions previously before a Grand Jury. Supreme Court rulings in other cases since the execution have branded such tacties as unfair and illegal.

On Feb. 6, 1963, the U.S. Court of Appeals acknowledged that under today's interpretation of the law the trial of Ethel and Julius Rosenberg and Morton Sobell would have been considered unfair. But the court said it is too late for Sobell to raise the point. Legally speaking, the Appeals Court said, it would not be too late for Ethel Rosenberg, if she were alive, to raise the point.



The furor that the Rosenberg-Sohell trial unleashed has been paralleled only by such cases as the Mooney-Billings and Sacco-Vanzetti cases in the United States and the Dreyfus case abroad. There were public meetings and demonstrations, debates in the press, thousands marching before the White House, and pleas pouring in from throughout the world. Pope Plus XII, the President of France, and Albert Einstein were among those who intervened for elemency.

A legal battle raged until the last moment. Justice Douglas granted a stay of execution, braving later moves for his impeachment. The Supreme Court had adjourned for the summer, but it was called back into unprecedented session to overrule Justice Douglas 6-3 while the executioner stood by in Sing Sing prison. A few hours later, on June 19, 1953, with the execution moved ahead until just before sundown to avoid having it occur on the Jewish Sabbath, Julius and Ethel Rosenberg were electrocuted. They swore their innocence in final statements. A telephone was kept open to the death chamber with the offer to spare them if they would admit guilt.

Morton Sobell received the news in Alcatraz, a prison supposedly for hardened criminals. He had been sent there on Thanksgiving Day, 1952, after he refused to admit guilt and accuse the Rosenbergs. After the death of the Rosenbergs he was approached again to change his testimony. Sobell spent five and a half years in Alcatraz.

where his wife could only see him through a pane of glass and talk through a telephone when she visted him. Widespread public protests against this treatment as being vindictive resulted in his transfer to Atlanta Federal Penitentiary, where he is now held.



The list of those urging Sobell's release has grown each year. It includes eminent persons of many viewpoints the world over (see partial listing on page 10.) There are appeals by those who question the fairness of the trial, by those who believe the Rosenbergs and Sobell innocent, by those who say the Rosenbergs were guilty but Sobell is innocent, and even by those who accept Sobell's guilt but regard the 30-year sentence as excessive and believe he should now be released.

A special independent study was made by a noted group including Edmond Cahn, professor of law at New York University, and Dr. Reinhald. Niehahr of the Union Theological Seminary. The panel of inquiry called the case against Sobell "vague in content and slender in proof" and recommended a commutation of sentence.



Before his election as President then Senator John F. Kennedy had his aides meet with persons appealing for Sobell and gave every impression of plauning action in his behalf. After the election, Presidential spokesmen in the White House were still optimistic about favorable action. A "new" study was said to be underway in the Justice Department. But it turned out that those assigned to the study were the same holdovers in the department who previously had the responsibility of defending the verdict and the execution of the Rosenbergs.

Presidential elemency was denied. The official position was that it would be up to the parole board.



Morton Sobell is officially eligible for parole. He has a job waiting for him, Rabbi Balfour Brickner, director of the Joint Commission of the Fig. 2

children have stood by him, working for his freedom, and the family to serve as his parole advisor. Sobell's wife, his mother, and his gations and the Central Conference of American Rabbis, has agreed has maintained as close a relation as possible through prison visits

WINE SERVE

and correspondence.

every accepted criterion. Notables from throughout the country tescontributions as a scientist. tified in Washington in behalf of Sobell at a parole hearing and inology, describes Sobell as the ideal candidate for parole under recommended that he be allowed to return to society and make his Donal E. J. MacNamara, Dean of the New York Institute of Crim-

Parole has been denied. No reasons have been cited.



decade. There have been countless statements by authorities that Russian scientific capacities were woefully underestimated and Soviet development did not come from espionage. Yet two persons are buried in a grave on Long Island on the accusation that they gave the Rosenberg-Sobell case runs through the fabric of the last

witcheraft trials in Salem, Mass, when I came across the Sobell file although a confession, whether true or false, would lighten his star-Sun: "Sobell, himself, has continued to protest his innocence parison with the Rosenberg-Sobell case is unavoidable." and concludes, 'Fifty persons confessed and were freed.' The com One paragraph tells of 13 women and six men hanged as witches gering sentence . . . I happened to be reading a booklet on the Russia the atomic bomb. Newspaper columnist Jack Scott has commented in the Vancouver



American jurisprudence" because of fear in Washington of opening the Pandora's box of the Rosenberg-Sobell case ity on Constitutional law, calls Sobell "the man in the iron mask of Professor Francis D. Wormuth of the University of Utah, author-

case from top to bottom and render a verdict in the light of present pendent Commission of Inquiry that would investigate the entire A committee of eminent Americans is seeking to form an inde-

Solvell through renewed appeals in the courts, to the parole board perspective. to President Kennedy for executive action, and to the public Meanwhile, there is a continuing urgent effort to free Mortor



SAMOTO CALETONIO BRADIONI STIBITO BIAL OLI SEL Write to President Johnson urging that he free mission into the Rosenberg-Sobell case Sobell and name an independent inquiry com-

- Show to your organization or home gathering the new 16mm sound film "Morton Sobell-A Plea for Justice" (30 minutes).
- Send a contribution to the Sobell Committee at the address below to help carry on its work.
- Circulate this booklet and other available mateit can be borrowed. ord can be bought for \$6 per set of 8 volumes, or rial for more intensive study. The full trial rec-

940 Broadway, New York 10, N.Y. SOBELL COMMITTEE AL 4-9983